

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47496 of 2015

Arising Out of PS.Case No. -224 Year- 2015 Thana -SAUR BAZAR District- SAHARSA

1. Raj Kumar Sada, Son of Late Tezo Sada, Resident of Village- Tiri, P.S.-
Sour Bazar, District- Saharsa..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Suman Kumar Jha
Mr. Krishna Ranjan

For the Opposite Party/s : Mr. Dr. Indivar Kumari (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-12-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Saur Bazar
P.S. Case No. 224 of 2015 registered for the offence punishable
under Section 392 of the Indian Penal Code.

Allegedly, three motorcycle borne criminals intercepted
the informant and snatched his motorcycle and white colour
mobile and during investigation that mobile was recovered from
possession of the petitioner and the petitioner has confessed his
guilt.

Submission is of false implication and that the
petitioner was apprehended from the house of his sister on
10.07.2015 but he has not been put on test identification parade,
the said mobile was recovered lying by the side of the house in the

bush but the Police wrongly prepared the seizure list, confessional statement has got no legal value in the eye of law, the looted motorcycle has not been recovered and as such the petitioner deserves sympathetic consideration to which the learned APP opposes by submitting that from possession of the petitioner looted mobile was recovered.

In the facts and circumstances stated above, considering that the petitioner has not been put on test identification parade, as such the petitioner above named is directed to be released **after completing nine months in custody from the date of his remand in this case** on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Sour Bazar P.S. Case No. 224 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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