

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35431 of 2015

Arising Out of PS.Case No. -8 Year- 2015 Thana -GORIAKOTHI District- SIWAN

- =====
1. Ram Dhani Nut Son of Sudama Nut resident of Village Banpura Pokhar
 2. Badha Nut son of Tueya Nut resident of Village Dayalpur.
 3. Lalan Nut Son of Gafur Nut resident of Village - Siristapur, All are of P.S Janta Bazar, District Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganjendra Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kr.Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 23-11-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in connection with Goreakothi P.S.Case No. 8 of 2015 for the offences punishable under Section 395 of the Indian Penal Code, pending in the Court learned C.J.M., Siwan.

Allegedly, 10 to 15 unknown miscreants committed dacoity in the house of the informant and took away ornaments, cash and six mobiles and during course of investigation the names of the petitioners have transpired that at the time of committing dacoity they were taking the names.

Submission is of false implication and that nothing

has been recovered from the possession of the petitioners. They have not put on T.I. parade and only on this evidence they have been implicated in this case resulting they are suffering in custody without any legal and tangible evidence. Their confessional statements have been recorded after adopting third degree method. The recovered articles are not the articles, in question.

Learned A.P.P. opposes the prayer of bail by submitting that from the possession of the petitioners some of the looted ornaments were recovered, which have been identified during T.I. parade, vide paras 88 and 114 of the case diary.

In the facts and circumstances, as stated above, considering the alleged recovery, which have been identified during T.I. parade, which is mentioned in second para 114 of the case diary and as such this Court is not inclined to enlarge the petitioners on bail and accordingly their prayer for bail stands rejected.

(Jitendra Mohan Sharma, J)

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