

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19089 of 2015

Arising Out of PS.Case No. -215 Year- 2014 Thana -ARWAL District- JEHANABAD

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1. Narendra Kumar @ Sintu S/o Baban Yadav, resident of Village-
Bhadashi, Tola- Maherban Bigha, P.S.- Arwal, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.21189 of 2015

Arising Out of PS.Case No. -215 Year- 2014 Thana -ARWAL District- JEHANABAD

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1. Rahul Kumar @ Tiger S/o Kamlesh Prasad Yadav Resident of Village
Baijnath Bigha, P.S. Paras Bigha, District Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.19089 of 2015)

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. R.S.Choudhary (App)

(In Cr.Misc. No.21189 of 2015)

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Arun Kumar(App)

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CORAM: HON'BLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 03-09-2015

Heard both sides.

Since both these bail applications arise out of one
and the same P.S. case, they have been heard together and are
being disposed of by this common order.

The petitioners seek bail in a case registered for
the offences punishable under sections 395 and 397 of the Indian
Penal Code.

The petitioners are not named in the F.I.R. The

informant in paragraph 69 of the case diary made his statement on 06.10.2014 and disclosed that one Baban Yadav disclosed the physical features of the dacoits but he could not see the dacoits. On 08.10.2014 the informant made his statement under section 164 Cr.P.C. and disclosed the name of the petitioners. The petitioners were arrested and T.I. parade was held. Petitioners were identified by the informant.

It is submitted that there is no evidentiary value of such evidence in the eye of law as the physical features of the petitioners were disclosed by Baban Yadav on the next day of the occurrence and the informant on such disclosure named the petitioners in his statement under section 164 Cr.P.C.

Considering the facts aforesaid, the petitioners above named are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Arwal P.S. Case No. 215 of 2014.

(Prabhat Kumar Jha, J)

Amin/-

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