

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33679 of 2015

Arising Out of PS.Case No. -112 Year- 2014 Thana -PARAIYA District- GAYA

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Sanjay Prasad @ Dara Singh Late Ramawatar Singh Resident of Village-
Bishnupur, Police Station-Paraiya, District-Gaya (Bihar)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manish Kumar No-2

For the Opposite Party : Mr. Kalyan Shankar (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 18-12-2015

Heard the counsel for the petitioner and counsel for the
State.

The petitioner is languishing in jail since 14.11.2014 in
a case instituted under Sections 395 and 364(A) of the Indian
Penal Code.

As per prosecution case, four known persons having
small weapons in their hands came near the informant and
assaulted him and thereafter confined him in the room and
threatened him to shoot, if any *hulla* is raised. Thereafter, 6-7
persons entered the house and assaulted his son Ranjeet Kumar,
nephew and female inmates of the house, confined them in another
room under watch of one of the miscreants. Then, the accused
persons snatched the gold and silver ornaments of Sushila Devi
and looted cash of Rs.10 lacks and other jewelleryes from the
almirah and further alleged that the accused persons also took

away Saurav Kumar aged about seven years who was grand-son of the informant's *Sala*, saying that he was son of Raj Mangal, with them.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.11.2014. Chargesheet has been submitted in the case. There is no allegation of tampering of evidence against the petitioner. Petitioner is not named in the FIR. No test identification parade has been conducted. There is no recovery of any incriminating article from the possession of the petitioner. The victim is said to have been recovered on the very next day. The other co-accused have been granted bail by this Court vide Cr.Misc.No.31580 of 2015 and Cr.Misc.No.40934 of 2015

On behalf of the State, it has been submitted that the petitioner is not named in the FIR.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Miss. Kalpana Srivastava, Judicial Magistrate, Ist Class, Gaya in connection with Paraiya P.S.Case No.112 of 2014.

(Sudhir Singh, J)

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