

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19212 of 2015

Arising Out of PS.Case No. -135 Year- 2013 Thana -LADANIA District- MADHUBANI

- =====
1. Rafique Nadaf @ Md. Rafique S/o Faudar Nadaf Resident of village - Parsa, P.S. Jainagar, District - Madhubani
2. Mahendra Mandal S/o Late Sukdeo Mandal Resident of village - Bela, P.S. Jainagar, District - Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

---with---

Criminal Miscellaneous No.21228 of 2015

Arising Out of PS.Case No. -135 Year- 2013 Thana -LADANIA District- MADHUBANI

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Manoj Yadav Son of Lakshmi Yadav resident of Belahi, P.s Jainagar, District Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 09-09-2015 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners of both the applications are accused in connection with S.T. No. 161 of 2014 arising out Ladaniya P.S. Case No. 135 of 2013 registered under Sections 395, 412 of the I.P.C. and later on, section 412 of the I.P.C. was added. Therefore, both applications are being heard together and disposed of by this order.



Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. itself that regarding the dacoity in the house of the informant Baldeo Chaudhary, F.I.R. was lodged against 10-12 unknown under section 395 of the I.P.C. and later on, 412 of the I.P.C. was added on 23.01.2014, In F.I.R., the informant has claimed to identify the miscreants they were seen in the light of electric. In course of investigation, petitioner Md. Rafique along with Raja Ram Mandal, Surender Yadav and Ashok Kumar was apprehended by the Police and on the basis of recovery of silver ornaments and cartridges in dickey of the motorcycle, Raj Nagar P.S. Case No. 225 of 2013 was instituted and the confessional statement was recorded showing their involvement and two others and later on, police got recorded the confessional statement showing the involvement of the petitioners also, except that, there is nothing against the petitioners. It is also submitted that petitioners Rafique Nadaf and Mahendra Mandal are in custody since 12.02.2015 and 18.02.2015 respectively and petitioner Manoj Yadav is in custody since 29.11.2013, but they have not been put on Test Identification Parade. It is further submitted that Surendra Yadav @ Mistri has already been allowed bail by a Bench of this Court vide Cr. Misc. No. 50556 of 2014 on 18.12.2014.

Having considered the facts and circumstances of the case, let the above named petitioners 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 3rd Additional Sessions Judge, Madhubani in connection with S. Tr. No. 161 of 2014 arising out of Ladaniya P.S. Case No.135 of 2013. Out of two sureties, one surety must be parents or close relatives of the petitioners.

(Rajendra Kumar Mishra, J.)

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