

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25203 of 2016

Arising Out of PS.Case No. -624 Year- 2015 Thana -PHULWARI District- PATNA

Teni Nut, son of Late Lotha Nut, resident of village Khagaul Lakhpur,
Police Station- Phulwari Sharif and District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Manish Kumar No-2, Advocate.

For the Opposite Party : Mr. M.K.Khare(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 17-10-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 16.01.2016
in connection with Phulwari Sharif P.S. Case No. 624 of 2015 for
the offences instituted under Sections 395 and 397 of the IPC.

The prosecution story, in brief, is that in the house of
father-in-law of the informant, dacoity was committed wherein the
informant was assaulted with knife and ornaments valuing Rs. 25
Lacs, cash of Rs. 50,000/- were taken away and when they were
fleeing away alarm was raised and then with the help of Mohalla
people two persons, namely, Singal Kumar and Ravi Sharma were
caught.

It has been submitted on behalf of the petitioner that the

petitioner is in custody since 16.01.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He is not named in the FIR. The article recovered from possession of the petitioner has not been put on T.I. Parade to ascertain whether the same is looted article or not? The other co-accused persons have been granted bail by co-ordinate Bench of this Court vide Cr. Misc. Nos.6682 of 2016 and 15745 of 2016.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned J.M. Ist Class, Patna, in connection with Phulwari Sharif P.S. Case No. 624 of 2015.

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(Sudhir Singh, J)