

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10797 of 2016

Arising Out of PS.Case No. -473 Year- 2015 Thana -PURNEA SADAR District- PURNIA

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1. Kanchan Rishi Son of Pokori Rishi resident of village Emli Tola
Gulabbagh, P.S. Sadar, District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avnish Kumar

For the Opposite Party/s Mr. Nazir Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 08.03.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections 395
and 397 of the Indian Penal Code.

The alleged occurrence is said to have taken place in the
mid night of 2.12.2015 and on the next morning present case was
lodged on the basis of the written report of the informant. Informant
did not name any person in the written report but when his further
statement was recorded, he named the petitioner claiming to have
identified him at the time of alleged occurrence and after that some
witnesses also claimed to have identified the petitioner committing the
alleged crime.

Learned counsel for the petitioner submits that the petitioner
is a labourer and, as a matter of fact, informant falsely implicated him
on mere suspicion. It is further submitted that nothing has been

recovered from conscious possession of the petitioner who is languishing in jail custody since 4.12.2015 without having any criminal antecedent.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sub Judge I- cum- Addl. Chief Judicial Magistrate, Purnea in Sadar P.S. Case no. 473/2015.

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(Hemant Kumar Srivastava,J)

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