

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15183 of 2016

Arising Out of PS.Case No. -793 Year- 2015 Thana -KATIHAR District- KATIHAR

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Sumit Yadav @ Sumit Kumar, Son of Late Dilip Yadav.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jibendra Mishra

For the Opposite Party/s : Mr. Satyendra Narayan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 19-04-2016

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 392 of the Indian Penal Code.

Petitioner is not named in the first information report
but it would appear from perusal of the impugned order that in
course of investigation, one witness claimed to have seen the
alleged occurrence and stated the name of the petitioner.

Learned counsel for the petitioner submits that
petitioner was picked up by the police from his house and as a
matter of fact, petitioner was not involved in the alleged crime. It
is further submitted that so far as confessional statement of the
petitioner is concerned, the same was taken on the basis of
coercion. No doubt, one witness claimed to have seen the

petitioner committing the alleged crime but had the aforesaid witness seen the alleged occurrence, he would have certainly disclosed the name of the petitioner at the time of institution of the present case because the police station was situated at a stone throw distance from the place of occurrence.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that petitioner does not have any criminal antecedent, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection with Katihar Town P.S. Case No. 793 of 2015.

(Hemant Kumar Srivastava, J)

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