

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45217 of 2015

Arising Out of PS.Case No. -5 Year- 2009 Thana -DARPA District-
EASTCHAMPARAN(MOTIHARI)

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1. Jai Mangal Thakur @ Shivaji @ Shiv Ji Son of Late Kuldip Thakur,
resident of Village- Champapur, Police Station- Patahi, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Ram Naresh Roy (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 08-02-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 19.02.2015 in connection
with a case registered for the offences punishable under Sections
147/148/149/452/342 and 17 of the C.L.A. Act and ¾ of the
Explosive Substance Act.

Learned counsel for the petitioner submits that though the
petitioner has been in custody since 19.02.2015 as of today no
Test Identification Parade has been conducted for the petitioner. It
is submitted that the petitioner is facing prosecution on the basis of
the confessional statement made by one co-accused before the
Police which has no evidential value. He further submits that other
similarly situated persons have been extended the privilege of

regular bail by this court vide Cr. Misc. No. 26557 of 2013, Cr. Misc. No. 39057 of 2011, Cr. Misc. No. 30449 of 2010 and Cr. Misc. No. 2942 of 2012.

Considering the aforementioned facts and circumstances and that the petitioners' case also stand on the similar footing as that of other persons, 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 learned 9th Additional Sessions Judge, East Champaran, Motihari in connection with Darpa P.S. Case No. 05/2009.

(Anjana Mishra, J)

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