

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26139 of 2016

Arising Out of PS.Case No. -71 Year- 2016 Thana -DEHRINAGAR District- SASARAM
(ROHTAS)

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1. Prince Pandey @ Prince Kumar, Son of Ajay Pandey, resident of
Mohalla- West Mohan Bigha, Ward No. 17 P.S. Dehri (T) District- Rohtas.

.... Petitioner/s

Versus

1. THE STATE OF BIHAR.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 05-07-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under
Sections-379, 411/34 of the Indian Penal Code.

Petitioner is not named in the first information report
and the learned VIIth Additional Sessions Judge, Rohtas at
Sasaram has also not mentioned this fact as to how the name of
petitioner came in this case. The learned Additional Sessions
Judge has only mentioned some paragraphs of the case diary,
disclosing this fact that in the aforesaid paragraphs, the statements
of witnesses were recorded and at paragraph-44 of the case diary,
the petitioner confessed his guilt. The learned Additional Sessions

Judge failed to mention in the impugned order about the gist of statements of prosecution witnesses.

Learned counsel, appearing for the petitioner submits that the recovery was made from a betel shop and not from possession of the petitioner and except the confessional statement of petitioner as well as this aspect of the matter that some witnesses claimed to have seen the petitioner loitering near the place of occurrence, prior to the alleged occurrence, there is nothing against the petitioner.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Dehri (T) P.S. Case No. 71 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Dehri (Rohtas).

(Hemant Kumar Srivastava, J)

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