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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29301 of 2016

Arising Out of PS.Case No. -386 Year- 2015 Thana -BIHARSHARIF District- NALANDA (BIHARSHARIFF)

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Md. Hassan @ Sanjay Son of Bhajo Mian, resident of Mohalla- Kona Sarai, P.S. Lahari, Dist. Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shashi Shekhar Sharma, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-09-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 395 and 412 of the I.P.C.

The prosecution story, in brief, is that on the alleged date and time of occurrence 3-4 unknown persons after breaking the lock of the door of flat of the informant entered into the flat and tied the hands and feet of the informant and took away ornaments, mobiles and Rs.60,000/- cash.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 5.1.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. He has not been put on Test

Identification Parade. There is no recovery of any looted article from the conscious possession of the petitioner. The name of the petitioner has come on the confessional statement of the co-accused.

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

Considering the aforesaid facts and circumstances, it is directed that 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 learned Chief Judicial Magistrate, Biharsharif, Nalanda in connection with Bihar P.S. case No.386 of 2015.

(Sudhir Singh, J)

Narendra/-

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