

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30950 of 2016

Arising Out of PS.Case No. -19 Year- 2016 Thana -BATH District- BHAGALPUR

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Kundan Yadav @ Kuman Yadav son of Late Ganesh Yadav @ Nakul Yadav, resident of village Makwa Police Station Ashanganj, in the District Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Prasad Roy, Advocate

For the Opposite Party/s : Mr. Durgesh Nandan, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-09-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Section 392 of the I.P.C.

The prosecution story, in brief, is that on 4.3.2016 in the night the informant was going on his motorcycle bearing registration No. BR-10L-9648 and reached near Bhola Baba Mandir, a motorcycle came there from behind, on which four persons were sitting. The miscreants stopped the motorcycle of the informant and looted his motorcycle and mobile and fled away.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.3.2016 and the charge sheet has been submitted in the present case. The petitioner has got no

criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. He has been made accused on his self confession before the police. The petitioner has not been put on Test Identification Parade nor there is any recovery of incriminating article from the possession of the petitioner.

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 Additional Chief Judicial Magistrate XIII, Bhagalpur in connection with Bath P.S. case No.19 of 2016 (G.R. No.731 of 2016).

(Sudhir Singh, J)

Narendra/-

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