

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47134 of 2016

Arising Out of PS.Case No. -48 Year- 2016 Thana -GAUTAMBUDHNAGAR District- SIWAN

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Benga @ Najbuddin @ Najbuddin Ansai S/o Mainuddin Ansari, R/o
village- Beldari Tola, P.S. - Daraunda, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Aslam Ansari, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 08-12-2016 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 353, 307, 414/34 of the Indian Penal Code and Sections
25(1-b)a 26, 27 and 35 of the Arms Act.

Petitioner is not named in the first information report
but it appears that in course of investigation, the name of the
petitioner surfaced in this case and, accordingly, he was made
accused and remanded in the present case.

Submission on behalf of the petitioner is that for the
same occurrence, present case as well as G.B. Nagar P.S. Case
No.47 of 2016 were lodged and one co-accused confessed his guilt
in G.B. Nagar P.S. Case No.47 of 2016 and also disclosed the



name of the petitioner. Thereafter, petitioner was made accused in the present case as well as G.B. Nagar P.S. Case No.47 of 2016. It is submitted that except the aforesaid so-called confessional statement, there is nothing against the petitioner. It is further submitted that petitioner has not been put on Test Identification Parade nor anything has been recovered from his conscious possession.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let 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 C.J.M., Siwan in connection with G.B. Nagar P.S. Case No.48 of 2016.

(Hemant Kumar Srivastava, J)

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