

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11702 of 2016

Arising Out of PS.Case No. -40 Year- 2015 Thana -KALER District- JEHANABAD

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1. Kundan Kumar S/o Saheb Dayal Singh R/o Vill- Muradpur Hujra PS
Arwal Distt Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Dashrath Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 16-03-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 392 of the Indian Penal Code.

Petitioner is not named in the first information report
nor any witness claimed to have seen the petitioner committing the
alleged crime. The learned court below appears to have rejected
the bail petition of the petitioner only on the ground that his Test
Identification Parade could not be arranged as the jail is situated
from 35 Km away from the court situated at Arwal.

In my view, no person can be detained in jail custody
only for the purpose of holding the Test Identification Parade.

Considering the aforesaid facts and circumstances as

well as submissions of the parties, 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 Sri Arun Kumar, Additional Chief Judicial Magistrate, Arwal in connection with Kaler P.S. Case No. 40 of 2015.

(Hemant Kumar Srivastava, J)

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