

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20884 of 2016

Arising Out of PS.Case No. -240 Year- 2015 Thana -NATHNAGAR District- BHAGALPUR

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1. Kailash Kumar @ Kailash Kumar Sah S/o Rajendra Sah, Resident of Mohalla- Munsii Bansi Badan Len, K.B. Lal Road, Nath Nagar, P.S.- Nath Nagar, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. M.K. Khare(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 19-05-2016 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 offences punishable under Sections 461 and 379 of the Indian Penal Code.

The petitioner is not named in the First Information Report but in course of investigation, the co-accused confessed his guilt and on the basis of his confession, some stolen articles were recovered. So far as the recovery relates to this petitioner is concerned, it is alleged that one piece of pital was recovered from jewellery shop of the petitioner.

Submission on behalf of the petitioner is that the so

called recovery is nothing but high handedness of the police. As a matter of fact the seized article has not been put on Test Identification Parade. Moreover, the petitioner does not have any criminal antecedent and he happens to be goldsmith.

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 Additional Chief Judicial Magistrate, Bhagalpur in connection with Nathnagar (Lalmatia) P.S. Case No. 240 of 2015.

(Hemant Kumar Srivastava, J.)

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