

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29754 of 2016

Arising Out of PS.Case No. -189 Year- 2015 Thana -AMAS District- GAYA

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Kamaldeo Yadav Son of Arjun Yadav Resident of Village- Garwaiya, P.S
Barachatti, District Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arvind Kumar Singh, Advocate.

For the Opposite Party : Mr. Sri Uday Pratap Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody in connection
with Amas P.S. Case No. 189 of 2015 for the offence instituted
under Section 95 of the Indian Penal Code.

The prosecution story in brief, is that while the
informant was going to Aurangabad from Koderma, two culprits
came on motorcycle and looted his purse containing Rs. 8000/-
and also taken cash of Rs. 1500/-, which was kept in his upper
pocket along with golden chain, mobile phone, Adhar Card and
Pan Card etc. The accused persons have also looted Rs. 700/- and
mobile of the driver and after snatching away the key of the
vehicle, fled away.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.03.2016. 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 First Information Report. His name has come on the basis of confessional statement of co-accused. He has not been put on Test Identification Parade. There is no recovery of any incriminating article from possession of the petitioner. The other similarly situated co-accused have been granted bail by another co-ordinate Bench of this Court vide Cr. Misc. No.24221 of 2016 dated 20.06.2016 and Cr. Misc. No. 23693 of 2016 dated 12.07.2016.

On behalf of the State, it has been submitted that the petitioner is not named in the First Information Report.

Considering the aforesaid facts and circumstances, 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 Sri G.N. Dubey, Judicial Magistrate 1st Class, Sherghati (Gaya) in connection with Amas P.S. Case No. 189 of 2015.

(Sudhir Singh, J.)

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