

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54762 of 2016

Arising Out of PS.Case No. -35 Year- 2016 Thana -GAUTAMBUDHNAGAR District- SIWAN

- =====
1. Ohidul @ Mohidal, son of Motiyar Shekh, resident of village Barauda, P.S.Kalmari, District- Madaripur
 2. Shahidul @ Shahdul, son of Yusuf Mulla, resident of village- Pangasiya, P.S.Kalkini, district- Madaripur
 3. Md. Hasan, son of Abdul Samana, resident of village Janpur, P.S. Keshupur, District- Mansoor Petitioner No.1 to 3 belong to Bangladesh.
 4. Md. Tutul, son of Dobir Mullah, Residnet of village- Gopinathpur, P.S.- Gopinathpur, District- Gopalganj (U.P.).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udit Nr. Singh,
Mr. Gajendra Kumar Singh
For the Opposite Party/s : Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The application is for grant of bail for the offence under
Section 395 of the Indian Penal Code.

It is submitted on behalf of the petitioners that name of
the petitioners has transpired only on the basis of confessional
statement of the co-accused before the police but there is nothing
against the petitioners, neither TIP parade has been held nor
anything has been recovered from the possession of the petitioners
and they are in custody since 13.3.2016.

It is further submitted on behalf of the petitioners that



they were actually selling the goods and they are Bangladesi and only on that basis they have been falsely implicated in this case. It has also been submitted that the name of the petitioners transpired only on the basis of confessional statement of the co-accused persons.

Heard learned A.P.P. also.

Having heard both sides. In view of the fact that there is nothing against the petitioners and their name transpired only on the basis of confessional statement of the co-accused and they are in custody for last six months as well as the charge-sheet has already been submitted, let petitioners be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of CJM, Siwan in connection with G.B. Nagar P.S.Case No.35 of 2016.

(Vinod Kumar Sinha, J)

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