

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52046 of 2016

Arising Out of PS.Case No. -115 Year- 2015 Thana -KUMARKHAND District- MADHEPURA

- =====
1. Dilip Rishideo @ Dilip Kumar, son of Kishundayal Rishideo, resident of village-Machhaha, PS- Shankarpur, District-Madhepur
 2. Dipak Kumar Yadav @ Dipak Kumar, son of Dharendra Yadav
 3. Rupesh Kumar, son of Manmodh Yadav
- 2 & 3 are residents of village-Belha Gopalpur, PS- Kumarkhand (Bhatni OP), District-Madhepura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Praveen Kumar Agrawal, Advocate
For the Opposite Party : Mr. Sri Binod Kumar 2 (APP)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 02-12-2016 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor.

Learned counsel for the petitioners submit that petitioners are under custody. Vakalatnama is there which suggests custody of the petitioners. The order impugned has been passed in B.P. no. 623 of 2016. However, in the first paragraph of order impugned, it has inadvertently been mentioned that it relates with the matter comes under Section 438 of the Code of Criminal Procedure whereupon, the same be ignored, to which, the learned A.P.P. did not object.



Informant accompanying with Ganesh Kumar Yadav was robbed. While the other miscreants succeeded in their escape, Rajiv Yadav was apprehended along with motorcycle at the spot with the help of villagers who, on interrogation disclosed the name of the present three petitioners. From the order impugned, it is evident that petitioners have not been put on Test Identification Parade. From para 10 of the petition, it is evident that petitioners are under custody since 27.09.2016 having no criminal antecedent as per para 3 of the petition.

Accordingly, petitioners namely Dilip Rishideo @ Dilip Kumar, Dipak Kumar Yadav @ Dipak Kumar and Ramesh Kumar are directed to be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Sub-divisional Judicial Magistrate, Madhepura in connection with Kumarkhand P.S. case no. 115 of 2015.

(Aditya Kumar Trivedi, J.)

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