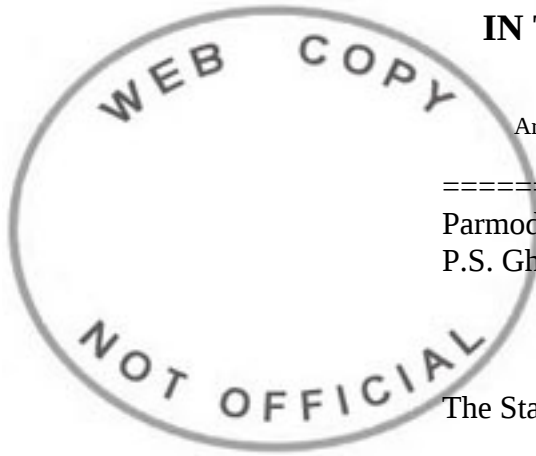




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23363 of 2016

Arising Out of PS.Case No. -233 Year- 2015 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

=====

Parmod Bind Son of Late Chalitar Bind Resident of village - Saho Bigha,
P.S. Ghosi, District - Jehanabad

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

=====

Appearance :
For the Petitioner/s : Mr. Satish Chandra, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 26-05-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in jail custody since
14.02.2016 in connection with Soh Sarai P.S. Case No. 233
of 2015 registered for the offences punishable under
Section 392 of the Indian Penal Code.

The prosecution case, in brief, is that on the
alleged date of occurrence, three miscreants entered into the
Bank in question and at the point of pistol took the key of
strong room and looted away Rs. 47,07,250/- from the said
bank.



It has been submitted by the counsel for the petitioner that petitioner is not named in the First Information Report and only on the basis of the statement of the spy, name of the petitioner along with other co-accused has surfaced. He further submits that no Test Identification Parade has been conducted and nothing has been recovered from the conscious possession of the petitioner, hence, the statement of the spy has no evidentiary value in the eye of law.

However, learned A.P.P. for the State submits that although the petitioner is not named in the First Information Report, but during investigation, his name surfaced, hence, opposes the prayer for bail.

Be that as it may, since nothing has been recovered from the possession of the petitioner, let the petitioner name above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Biharsharif, Nalanda in connection with Soh Sarai P.S. Case No. 233 of 2015, subject to the condition that one of

the bailors shall be a close relative of the petitioner, who must possess sufficient immovable properties within the jurisdiction of the said police station and will appear before the learned Court below/ police as and when required and his failure to appear before the learned Court below on two consecutive dates without any reason will entail cancellation of his bail bond.

(Nilu Agrawal, J.)

Arjun/-

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