

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.56035 of 2015**

Arising Out of PS.Case No. -72 Year- 2007 Thana -MOKAMAH District- PATNA  
=====

1. Gore Lal Kewat Son of Late Hari Kewat Resident of village - Giriyak,  
Englishpur, P.S. Giriyak, District - Nalanda

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar Chaudhary

For the Opposite Party/s : Mr. Indra Kr. Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

4      17-02-2016                      Heard the learned counsel for the petitioner as well as  
  
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence punishable under section 395 of the I.P.C

The petitioner is not named in the FIR, his name transpires in the confessional statement of co-accused Bhushan Kewat and thereafter on that basis the petitioner has been remanded in this case and is in custody since 19.08.2008 but he has not been put on the test identification parade.

Submission is that besides the confessional statement there is nothing against the petitioner, nothing has been recovered from possession of the petitioner and without conducting the test identification parade charge sheet has been submitted, co-accused Bhushan Kewat in whose confessional statement the name of the

petitioner has come, has already been allowed bail vide Cr. Misc. No. 48991 of 2007, and further other co-accused Dhananjay Kewat, Balmiki Mahto @ Balmiki Yadav, Bihari Kewat and Shailendra Kewat @ Bauna have also been allowed bail and as such the petitioner also deserves sympathetic consideration.

The learned A.P.P. submits that the petitioner has got criminal antecedent.

In the facts and circumstances as stated above, considering detention of the petitioner, now he is directed to 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 2<sup>nd</sup> Additional Sessions Judge, Barh, Patna in Sessions Trial No. 502 of 2009 arising out of Mokama P.S. Case No. 72 of 2007, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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