

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57807 of 2015

Arising Out of PS.Case No. -307 Year- 2014 Thana -NATHNAGAR District- BHAGALPUR

=====

1. Indra Dev Yadav @ Indar Yadav @ Indra Yadav Son of Matru Yadav
Resident of Mohalla - Kauskinath Jha Lane, Champa Nagar, P.S. Nath
Nagar (O.P. Champanagar), District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar

For the Opposite Party/s : Mr. C.Jawahar(App)

=====

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

2 25-01-2016

Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 392 and 411 of the I.P.C

The petitioner is not named in the FIR and the name
of the petitioner transpired in the confessional statement of co-
accused Sanni Yadav who is named in the FIR.

Submission is of false implication and that nothing
has been recovered from conscious possession of the petitioner nor
he has been put on the test identification parade though he is in
custody since 09.11.2014 having no criminal antecedent and Sanni
Yadav @ Sanni who is named in the FIR and in whose
confessional statement name of the petitioner has come, has
already been allowed bail vide Cr. Misc. No. 9860 of 2015 by

another coordinate Bench of this Court and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that the petitioner is not named and, as submitted, he has not been put on the test identification parade which is evident from the impugned order also.

In the facts and circumstances as stated above, considering that the petitioner is not named and he has not been put on test identification parade and as such 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 A.C.J.M. Bhagalpur in Nath Nagar P.S. Case No. 307 of 2014, 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/-

U		T	
---	--	---	--