

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29291 of 2016

Arising Out of PS.Case No. -16 Year- 2016 Thana -BARARI District- KATIHAR

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Amrican @ Amrkant @ Amrikant @ Amit Yadav, S/o Late Gango @
Ganaga Yadav, R/o- Kuriya, P.S.- Barari, Distt- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Binod Kumar 2, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 395 and 397 of the I.P.C.

The prosecution story, in brief, is that on the alleged date and time of occurrence the informant with his partner had gone to sell the cattle and they were returning by Capital Express and then they went their home by foot. When he asleep after taking meal and kept Rs.2,10,000/- under his pillow, suddenly some miscreants intercepted him and demanded the money. When his brother-in-law started to resist him, the miscreants had beaten him. Thereafter the miscreants fled away with Rs.2,10,000/- along with mobile.

It has been submitted on behalf of the petitioner that

the petitioner is in custody since 2.5.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on the confessional statement of the co-accused. The petitioner has not been put on Test Identification Parade. There is no recovery of any incriminating article from the possession of the petitioner. The other co-accused have been granted bail vide Cr.Misc.No.28420 of 2016, Cr.Misc.No.29728 of 2016 and Cr.Misc.No.35060 of 2016.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named 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. Vth, Katihar in connection with Barari P.S. case No.16 of 2016.

(Sudhir Singh, J)

Narendra/-

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