

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35346 of 2016

Arising Out of PS.Case No. -85 Year- 2016 Thana -SHERGHATI District- GAYA

Rajesh Sao, Son of Rajendra Sao, Resident of Village/Mohalla-Old Petrol Pump, Chatra, P.S.- Chatra, Dist.- Chatra, State-Jharkhand.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Dilip Kumar, APP 19

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 23-08-2016

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in connection with Sherghati (Dobhi) P.S. Case No. 85 of 2016 registered under Section 395 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner that the petitioner is neither named in the FIR nor any incriminating article was recovered from his possession during investigation. His name transpired on the basis of confessional statement of co-accused as also on his own confession made before the police. He has submitted that though the petitioner is

in custody since 14th April, 2016, he has not been put on Test Identification Parade till date.

On the other hand, learned counsel for the State has submitted that on completion of investigation, the case has been found to be true against the petitioner and a report under Section 173(2) of the CrPC has been submitted against him in the court. He submits that the offence is serious in nature and the petitioner has not remained in custody for sufficient period.

Be that as it may, regard being had to the facts and circumstances of the case, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Sherghati, Gaya in connection with Sherghati (Dobhi) P.S. Case No. 85 of 2016.

(Ashwani Kumar Singh, J.)

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