

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35117 of 2016

Arising Out of PS.Case No. -404 Year- 2015 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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Nilesh Kumar Yadav S/o Jay Nath Yadav, Resident of Village- Mathia,
P.S.- Lauriya, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
: Mr. Uday Pratap Singh, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has renewed his prayer for bail in
connection with Bettiah Mufassil (Manuapool) P.S. Case No.404
of 2015 giving rise to Sessions Trial No.97 of 2016 registered
under Sections 328, 395, 397 and 412 of the Indian Penal Code.

Earlier, the prayer for bail of the petitioner was rejected
by this Court vide order dated 30.1.2016 passed in Cr.Misc.
No.49518 of 2015 with observation that he may renew his prayer
for bail after six months.

It is stated by the learned counsel for the petitioner that
though the case is committed to the court of session,

charges have not been framed as yet. He submits that the petitioner was never put on T.I.Parade and his implication in the present case is merely on suspicion.

Learned counsel for the State has opposed the prayer for grant of bail to the petitioner. He has submitted that the petitioner along with four others was apprehended by the police and from their possession looted articles were recovered. The informant had identified the accused persons even before institution of the FIR and, therefore, there was no question to put him on T.I.Parade.

In view of nature of allegation and the facts and circumstances of the case, I am not inclined to grant bail to the petitioner for the present. Accordingly, his prayer for bail is rejected.

However, the petitioner may renew his prayer for bail after framing of charges and deposition of the informant during trial.

(Ashwani Kumar Singh, J)

Md.S./-

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