

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52223 of 2016

Arising Out of PS.Case No. -41 Year- 2015 Thana -NTPC District- BHAGALPUR

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1. Mithun Mahto Son of late Tarni Mahto Resident of Village-
Maheshamunda, P.S. Kahalgaon, District- Bhagalpur Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Adv.

For the Opposite Party : Mr. Bal Mukund Prasad Sinha, APP 13

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 07-12-2016 Heard the learned counsel for the petitioner and the
State.

This is a petition for grant of regular bail for offence
under Section 394 of the Indian Penal Code.

The first information report relates to offence of theft
at the point of fire arm by unknown criminals. Submission of the
petitioner is that only on the basis of criminal record of the
petitioner, available in the Police Station, he was arrested and his
confessional statement was allegedly recorded by the police
though nothing was recovered from the possession of the
petitioner nor the petitioner has been put on test identification
parade. The petitioner is in custody since 14.10.2016.

Hence, having regard to the facts and circumstances
of the case, the petitioner, above named, 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 in connection
with Kahalgaon P.S. Case No. 41 of 2015 to the satisfaction of the
Chief Judicial Magistrate, Bhagalpur, or successor Court. As the
charge has already been framed in this case, therefore, the
petitioner shall cooperate with the trial, failing which the Court
below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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