

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11670 of 2016

Arising Out of PS.Case No. -432 Year- 2015 Thana -MADHEPURA District- MADHEPURA

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1. TUFANI YADAV @ TUFAN KUMAR RANA @ TUFAN KUMAR
Son of Dharendra Yadav Resident of Village- Parriya, O.P Bharrahi, P.S. &
District -Madhepura..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma

For the Opposite Party/s : Mr. Rajendra Pd. Nat(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 29-04-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Madhepura
P.S. Case No. 432 of 2015 registered for the offences punishable
under Section 394 of the Indian Penal Code and Section 27of the
Arms Act.

First Information Report is against four unknown
miscreants with allegation that amount of Rs. 80,000/- and mobile
from the informant and amount of Rs. 10,000/- from Arvind
Yadav were snatched causing injury to the informant. Informant
claimed to identify after seeing them. During investigation the
petitioner and other co-accused were apprehended in Bharrahi P.S.
Case No. 435 of 2015 and the petitioner confessing his guilt stated
the name of other co-accused also.

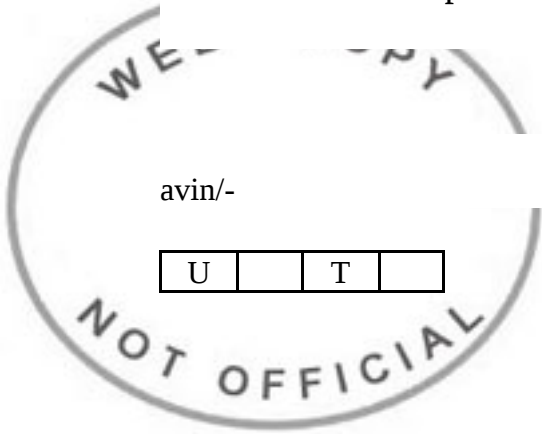


Submission is of false implication and that the petitioner is in custody since 20.01.2016 but he has not been put on test identification parade, nothing has been recovered from his conscious possession, the petitioner was in jail custody since 01.08.2015 in connection with Madhepura P.S. Case No. 435 of 2015 and from that case he has been remanded in this case. The petitioner has lodged Complaint Case No. 860C of 2015 against the Officer In-charge of Bharrahi Out Post resulting he has been implicated in this case.

Learned APP opposes the prayer of bail but fairly submits that the petitioner has not been put on test identification parade and nothing has been recovered from his possession.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 432 of 2015, 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)