

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20999 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -BANKA District- BANKA

=====

1. Md. Sahid S/o Md. Bedana @ Md. Rasid, Resident of village- Kharhara,
Police Station- Barahat (Banka), District- Banka..... Petitioner

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Damodar Pd. Tiwary (App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 30-06-2016

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

The petitioner seeks bail in connection with Banka
(Baahat) P.S. Case No. 65 of 2016 registered for the offences
punishable under Sections 394 and 302 of the Indian Penal Code.

The petitioner is not named in the first information
report. During investigation his name transpired in the statement
of witness Shankar Kumar Jha the another truck driver by seeing
the album kept at the Police Station who identified the photo of
the petitioner and one another that they were involved in the road
robbery at the time of occurrence. Further the petitioner confessed
his guilt also.

Submission is of false implication and that the
petitioner is in custody since 08.02.2016 but he has not been put
on test identification parade, only on the basis of alleged

identification he is suffering in custody, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP opposes the prayer of bail.

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, Banka in connection with Banka (Barahat) P.S. Case No. 65 of 2016, 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.

avin/-

(Jitendra Mohan Sharma, J)

U		T	
---	--	---	--