

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6870 of 2017

Arising Out of PS.Case No. -185 Year- 2016 Thana -BARH District- PATNA

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1. Lal Mohan Rai S/o Deo Nath Rai, Resident of Village- Hardeipur, P.S.-
Patory (Mohanpur O.P.) District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajanan Mishra, Advocate

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-03-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offences under Section 395 of the I.P.C.

Allegation is that four unknown persons had taken
away the tractor of the informant.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 2.8.2016 and the charge sheet has
been submitted in the present case. There is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner is not named in the F.I.R. He has not been put on Test
Identification Parade. There is no recovery of any incriminating
article from the possession of the petitioner. Except for the
confessional statement of co-accused there is no other substantive



evidence to suggest his implication in the present case. The other co-accused has been granted bail vide Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Barh, Patna in connection with Barh P.S. case No.185 of 2016 corresponding to S. Tr. No.807 of 2016.

(Sudhir Singh, J)

Narendra/-

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