

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6388 of 2017

Arising Out of PS.Case No. -68 Year- 2016 Thana -KUDRA District- BHABHUA (KAIMUR)

=====

1. Mundrika Mushar Son of Late Somaru Mushar, Resident of Village-Sivan P.S. Karahgar District Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar -2, A.P.P.

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-02-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 31.08.2016 in connection with Kudra P.S.Case No. 68 of 2016 registered for the offence punishable under Section 395 of the Indian Penal Code.

The prosecution case is that some unknown persons committed dacoity in the house of the informant. During course of investigation, since the petitioner was accused in another case, on self statement, the petitioner was also made accused in the present case.

It is submitted by the learned counsel for the petitioner that he is innocent, nothing has been recovered from his conscious possession and confessional statement was made before the police, hence has got no evidentiary value. He submits that



from the possession of another co-accused from whose possession mobile of the informant was recovered, has since been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. No. 51805 of 2016 on 13.01.2017. He further submits that no Test Identification Parade has been done so far.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances that the other co-accused has since been granted the privilege of bail by this Court, let the petitioner, above named, 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 Kudra P. S. Case No. 68 of 2016 to the satisfaction of the learned Judicial Magistrate, 1st class, Kaimur at Bhabhua, subject to the condition that the petitioner is directed to appear before the police/ Court on each and every date as and when required and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bond.

(Nilu Agrawal, J)

Sudha/-

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

