

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9453 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -NAUGACHIA District- BHAGALPUR

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Dhananjay Kumar Son of Dayanand Singh Resident of Village - Mil Tola,
P.S. Naugachia, District Bhagalpur. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. N. K.Agrawal, Sr.Advocate

Mr. Chandan Kumar Kashyap

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

For the Informant : Mr. Ranjan Kumar Jha, Advocate

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

ORAL ORDER

2 11-04-2017 Heard learned Sr. Counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Naugachia P.S. Case
No. 149 of 2016 registered for the offences punishable under Sections
147, 148, 149, 302, 120B of the Indian Penal Code and Section 27 of
the Arms Act.

On behalf of the petitioner it is submitted that the petitioner is
not named in the first information report rather the petitioner was
apprehended on suspicion and the Police got recorded his confessional
statement and thereafter, co-accused Pintu and Sachin who are named
in the FIR have also confessed their guilt and stated the name of the
petitioner and others. In the FIR the informant disclosed the name of 12
culprits saying that she could identify three others on seeing them
again. The petitioner has not been put on test identification parade for
identification while he is in custody since 13.09.2016. Further



submission is that the petitioner has got no criminal antecedent and similarly situated co-accused Mukesh Yadav has been allowed bail vide Cr. Misc. No. 6080 of 2017 by another co-ordinate Bench of this Court.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that the petitioner himself has confessed his guilt and further other co-accused have also stated the name of the petitioner confessing their guilt.

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 learned A.C.J.M. Ist, Naugachia, Bhagalpur in connection with Naugachia P.S. Case No. 149 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.

(Jitendra Mohan Sharma, J)

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