

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4019 of 2017

Arising Out of PS.Case No. -47 Year- 2016 Thana -KISHUNPUR District- SUPAUL

- =====
1. Prince Kumar @ Prince Kumar Yadav @ Prince Yadav, son of Sitanand Yadav, a resident of village-lakshminiya, P.S.-Tribaniganj, District-Supaul.
 2. Guddu Yadav, S/o Ramdeo Yadav, a resident of village-Kopariya, P.S.-Tribeniganj, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 06-03-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P for the State.

The petitioners seek bail in a case for the offence punishable under section 394 of the I.P.C

The petitioners are not named in the FIR and it is submitted that they are in custody since 27.09.2016, they have not been put on the test identification parade, nothing has been recovered from their conscious possession and only on the basis of the confessional statement they are suffering in custody, the alleged confessional statement has been recorded by the police after adopting third degree method and as such the petitioners



deserve sympathetic consideration.

The learned A.P.P. submits that the mobile location of the petitioners connect their presence near the place of occurrence.

In the facts and circumstances as stated above, considering that the charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M. Supaul in Kishanpur P.S. Case No. 47 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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