

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30967 of 2017

Arising Out of PS.Case No. -26 Year- 2016 Thana -ALAMNAGAR District- MADHEPURA

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Bhushan Mandal son of Narayan Mandal resident of village Khawan, P.S.
Alamnagar (Ratwara), District Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate.

For the Opposite Party/s : Smt. Meena Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Alamnagar (Ratwara)
P.S. Case No. 26 of 2016 registered under Sections 395, 397 and
412 of the Indian Penal Code.

The petitioner and six other accused persons are said
to have looted the belongings of the informant and on protest
made by the informant and his companion, they resorted firing on
them causing fire arm injury to Kari Devi. On chase given by the
police, one of the accused person, namely, Babloo Kumar was
apprehended along with the looted cash of Rs. 3000/- and said
Babloo Kumar disclosed the name of the petitioner as one of his
companion in the occurrence.



It is submitted by learned counsel for the petitioner that nothing incriminating article has been recovered from the conscious physical possession of the petitioner. There is noting on record indicating the complicity of the petitioner barring the confessional statement of the co-accused Babloo which has no evidentiary value in the eye of law. The petitioner has been languishing in custody since 03.01.2017. Similarly situated co-accused, namely, Anil Mandal has been enlarged on bail by a co-ordinate bench of this court vide order dated 17.02.2017 passed in Cr. Misc. No. 49267 of 2016.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Uda-Kishunganj, Madhepura in connection with Alamnagar (Ratwara) P.S. Case No. 26 of 2016.

(Prakash Chandra Jaiswal, J)

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