

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55730 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -KHAGARIA GRP CASE District- KHAGARIA

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Pramod Kumar Yadav, Son of Upendra Yadav, Resident of Village:-
Baghawa, P.S. Mahishi (Jalai O.P.), District: Saharsa.

Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sameer Ranjan

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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

ORAL ORDER

2 11-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Saharsa Rail P.S.
Case No.17 of 2016 registered for the offences punishable under
Sections 379/34 and 411 of the Indian Penal Code.

The FIR is against three unknown miscreants and during
investigation on identification of Amar Yadav two persons were
apprehended who disclosed their name as Satyam Kumar and
Subhankar Kumar who confessed their guilt in commission of the
offence of theft of motorcycle and also disclosed the name of the
petitioner and on their disclosure the stolen motorcycle has been
recovered from the rented house of Vikash Yadav and thereafter, the
petitioner was also apprehended and he also confessed his guilt.

Submission is of false implication and that the Police after
adopting 3rd degree method have got recorded the confessional



statement, nothing has been recovered from possession of the petitioner, he has not been put on test identification parade and without any fault he is suffering in custody since 01.10.2016.

Learned APP submits that from the impugned order it reveals that the petitioner has also confessed his guilt.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 the learned Railway A.C.J.M., Khagaria in connection with Saharsa Rail P.S. Case No. 17 o 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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