

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13917 of 2017

Arising Out of PS.Case No. -704 Year- 2015 Thana -BANKA District- BANKA

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1. Sunny Kumar, Son of Umesh Mandal, resident of village - Daspur, P.S.
Shahkund (Sajour), District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 03-05-2017 Learned counsel for the petitioner is permitted to

make necessary correction in Para-1 of the petition within course

of the day.

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Earlier, the prayer for bail of the petitioner was

rejected by this Court but petitioner again seeks bail on two

grounds, firstly, the informant failed to identify the petitioner in a

dock in course of trial and secondly, the recovered motorcycle

was brought to the house of the petitioner by one co-accused

Bhola Mahto, who has already been granted privilege of bail by

the learned court below. Petitioner is in jail custody since

01.04.2016 and even if it is assumed that the looted motorcycle



was recovered from his house, then also, at best, the petitioner can only be said to be an accused of section 412 of the Indian Penal Code.

Accordingly, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-IV, Banka in connection with Session trial no. 346 of 2016 arising out of Banka (Panjwara) P.S. Case No. 704 of 2015.

(Hemant Kumar Srivastava, J)

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