

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27017 of 2017

Arising Out of PS.Case No. -37 Year- 2017 Thana -DHURAIYA District- BANKA

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Babloo Mandal, Son of Late Vijay Mandal, resident of Village
Maheshamunda, P.S. Kahalgaon, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 25-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
18.03.2017 in connection with Dhoraiya P.S. Case No. 37 of
2017 registered for the offence punishable under Section 392
of the Indian Penal Code.

The prosecution case, as lodged by the
informant, is that on 17.02.2017 after withdrawing Rs.
62,500/- from UCO Bank he along with one Arvind Singh
was going to his village on his motorcycle and when he
reached at Dhoraiya-Punsia road, three persons riding on



motorcycle came from behind and snatched the bag containing pass-book, cheque and Rs. 62,500/- and fled away.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and that nothing has been recovered from his conscious possession and it is only on the basis of the Test Identification Parade, which was conducted after ten days of the alleged occurrence, that he has been made accused in the present case. It is further submitted that the Test Identification Parade done after ten days has no authenticity, as the description of the person given in the First Information Report and that of the petitioner does not match. It is further submitted that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution evidence against the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Be that as it may, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/-



(Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Banka in connection with Dhoraiya P.S. Case No. 37 of 2017.

(Nilu Agrawal, J.)

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