

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21646 of 2017

Arising Out of PS.Case No. -267 Year- 2015 Thana -BELAGANJ District- GAYA

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Ashish Kumar @ Ramashish Kumar S/o Arun Singh, Resident of Village-
Samod Bigha, P.S.- Sherghati, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mrs. Soni Shrivastava

For the Opposite Party/s : Mr. Nityanand

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 12-07-2017 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 326, 307, 395 of the Indian
Penal Code.

Earlier the prayer for bail of the petitioner was
rejected on the ground that the stolen vehicle was recovered from
his possession for which Obera P.S. Case No. 118 of 2015 was
lodged. Moreover, it is an admitted position that petitioner has
already been granted privilege of bail in Obera P.S. Case No. 118
of 2015.

Submission on behalf of the petitioner is that
petitioner is in jail custody since 28.02.2016 and up till now, his



case could only be committed to the court of sessions and not a single prosecution witness has been examined as yet. He further submits that petitioner is not named nor has been put on Test Identification Parade, particularly, in the circumstance, when the informant is an eye witness of the alleged occurrence.

No doubt, petitioner carries some criminal antecedent but considering the period of detention of the petitioner in jail custody as well as submissions of the parties, 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 Additional Chief Judicial Magistrate-III, Gaya in connection with Belaganj P.S. Case No. 267 of 2015.

(Hemant Kumar Srivastava, J)

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