

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14402 of 2017

Arising Out of PS.Case No. -294 Year- 2015 Thana -BUXAR MUFFSIL District- BUXAR

=====

Tuntun Shah @ Tuntun Sah @ Tuntun, son of Late Mahvir Shar, resident of
Village Maner (Opposite of Maner Block), P.S. Maner, District Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 19-06-2017 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is languishing in judicial custody since
16.12.2016 in connection with Buxar (Muffasil) P.S. Case No.
294/15 for offences punishable under Section 396 of the Indian
Penal Code.

The prosecution case is that 6-7 unknown persons
wearing *Kachha* committed dacoity and injured several persons
including the informant and looted dresses, articles and
belongings.

It has been submitted by the learned counsel for
the petitioner that he is not named in the First Information Report,
there is general and omnibus allegation against him and has been
implicated only on the basis of the suspicion and confessional



statement of co-accused Chandra Shekhar Singh, who is member of the alleged *Kachha-Banyan* Giroh. It is further submitted that no Test Identification Parade has been done so far and other accused persons on similar allegation have since been granted the privilege of bail by Coordinate Bench of this Court in Cr. Misc. No. 53203/16 in connection with Dumraon (N.B.) P.S. No. Case No. 180/16 and in the present prosecution case in Cr. Misc. No. 9455 of 2017 on 02.05.2017.

However, learned APP for the State submits that the petitioner has criminal antecedent and is alleged to be a member of *Kachha-Banyan* Giroh, which indulges in loot, hence, vehemently opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Addl. Chief Judicial Magistrate-IV, Buxar, in connection with Buxar (Muffasil) P.S. Case No. 294/2015, subject to the condition that one of the bailors must be 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 their part without any reason shall disentitle
the petitioner from privilege of bail.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

