

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17206 of 2017

Arising Out of PS.Case No. -48 Year- 2016 Thana -DARIHAT District- SASARAM (ROHTAS)

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1. Daya Mali Son of Late Satyendra Bhagat Resident of Village & Post : -
Bank, P.S. : - Akorhi Gola, District : - Rohtas

2. Arman Hasmi Son of Nasim Hasmi Resident of Village & Post : - Bank,
P.S. : - Akorhi Gola, District : - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr. Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-04-2017 The petitioners seek regular bail in connection with

Darihat P.S. Case No. 48 of 2016, registered for offences

punishable under Section 392 of the Indian Penal Code.

Allegation against the petitioners is of snatching the

motorcycle and Samsung mobile of the informant on the point of

pistol.

It has been submitted on behalf of the petitioners that

their names have surfaced in this case only on the basis of

confessional statement of co-accused and except that there is

nothing against him. It has further been submitted that no recovery

has been made from the possession of the petitioners and upto

now no Test Identification Parade has been conducted and they



have been in judicial custody since 16.12.2016 and 09.12.2016 respectively and other co-accused of this case has already been granted bail by this Court vide order dated 16.03.2017 passed in Criminal Miscellaneous No. 6295 of 2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that petitioner's name transpired on this case only on the basis of confessional statement of co-accused and except that there is nothing against the petitioner and also other co-accused has already been granted bail by this court, as such, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Dehri On-sone, Rohtas, in connection with Darihat P.S. Case No. 48 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the



disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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