

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28493 of 2017

Arising Out of PS.Case No. -107 Year- 2015 Thana -INDUSTRIAL District- BHAGALPUR

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Md. Jahir Son of Md. Rustam Resident of Village-Fatehpur, P.S. Industrial,
District-Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

- 2. 06-07-2017** Heard learned counsel for the petitioner and
the learned A.P.P. for the State.

Petitioner, in the present case, is seeking
regular bail in connection with Industrial Area P.S. Case
No. 107/2015 registered for the offence punishable under
Sections 395 and 397 of the Indian Penal Code.

Learned counsel for the petitioner submits
that the petitioner is not named in the First Information
Report. His name transpired in course of confessional
statement made by the co-accused Mukesh Kumar, and
nothing has been recovered from this petitioner, however
petitioner has no criminal antecedent. Petitioner is in
custody since 30.03.2017. No test identification parade
has been conducted to let him identified. Learned counsel



would further submitted that the co-accused Mukesh Kumar has already been granted regular bail by a coordinate Bench of this Court vide order dated 28.06.2016 passed in Cr. Misc. No. 17756/2016.

However, learned A.P.P. for the State opposes the prayer for bail, however states that the factual position as appearing from the records remains the same.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bhagalpur, in connection with Industrial Area P.S. Case No. 107/2015, subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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