

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32752 of 2017

Arising Out of PS.Case No. -64 Year- 2014 Thana -HATHUA District- GOPALGANJ

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1. Indal Sah, son of Mahesh Sah, resident of Village- Turpatti, Police Station- Hathua, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate.

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner, in the present case, is seeking regular bail in connection with Hathua P.S. Case No. 64 of 2014, registered for the offences punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that apparently it would appear that the petitioner is involved in as many as six cases including the present case. However, in all those cases he has been made accused on the basis of confessional statement of co-accused. In the present case also he has been implicated as an accused without there being any independent material against him. It is alleged that he has confessed before police which is the sole basis of his implication without there



being any recovery and the petitioner is in custody since 27.4.2017. There is no test identification parade. At the same time co-accused have been granted regular bail by court below which may be noticed from the order passed by learned 6th Additional District Judge, Gopalganj.

Learned A.P.P. for the State opposes the prayer for bail, however the factual position is that the petitioner has been denied bail by court below because of his involvement in earlier cases.

Considering the facts and circumstances particularly that there is no recovery from the petitioner and till date there is no identification also, let the petitioner, above named be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj, in connection with Hathua P.S. Case No. 64 of 2014, subject to the condition, under Section 437(3) of the Cr.P.C., that one bailors should be a father-in-law of the petitioner who is said to be a business man having no criminal antecedent. The petitioner shall co-operate in trial, and two regular default in putting appearance before the trial court shall lead cancellation of bail bonds.

(Rajeev Ranjan Prasad, J)

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