

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35 of 2017

Arising Out of PS.Case No. -165 Year- 2016 Thana -FATUHA District- PATNA

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Hare Ram Paswan, Son of Devan Paswan, resident of village - Vasampur,
P.S. Rahui, District - Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 03-03-2017 Heard both sides.

The petitioner seeks bail in Fatuha P.S. Case No. 165/2016, registered for the offences punishable under Section 392 of the Indian Penal Code.

Gaurav Kumar the informant lodged the case against three unknown persons and alleged that while the informant was returning to his house by his motorcycle, three unknown persons, who were sitting on a Bullet motorcycle, followed him and they at the point of pistol robbed his motorcycle and fled away.

Learned counsel for the petitioner submits that there is absolutely no evidence against the petitioner. The villagers suspected that the petitioner might have committed the crime. The petitioner is in jail since 07.10.2016, but he has still not been put



on Test Identification Parade. The petitioner has been taken into custody only because the petitioner has got criminal antecedent and save and except this fact, there is absolutely no material against the petitioner.

Learned A.P.P. submitted that in para 49-50 of the case diary, two witnesses have disclosed that the petitioner on that day was moving on Bullet motorcycle along with his two accomplices.

Considering the facts aforesaid and the fact that nothing has been recovered from the possession of the petitioner and even after being arrested, the petitioner was not put on Test Identification Parade, the petitioner above-named, is directed to 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 Judicial Magistrate Ist Class, Patna City in connection with Fatuha P.S. Case No. 165/2016.

(Prabhat Kumar Jha, J.)

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