

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19655 of 2017

Arising Out of PS.Case No. -153 Year- 2016 Thana -NASRIGANJ District- SASARAM (ROHTAS)

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1. Deomuna Ram @ Deomunna Ram Son of Dina Ram, Resident of
Village- Bandhpa, Police Station- Akorhi Gola, District- Rohtas at Sasaram.
..... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mrs. Smt. Asha Kumari

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 03-07-2017 Heard both sides.

The petitioner seeks bail in Nasriganj (Rajpur) P.S.
case No. 153 of 2016 under Section 395, 412 of the Indian Penal
Code.

The informant alleged that on 01.08.2016 he and his
driver were going to village Bhim Kurup with two passengers but
near canal bridge the criminals looted away the auto rickshaw and
other belongings of the informant.

The learned counsel for the petitioner submits that
petitioner is not named in the FIR. The occurrence took place on
01.08.2016 but the FIR was lodged on 13.08.2016. During the
course of investigation the name of petitioner for the first time
figured in the case in the statement of police spy and thereafter
Motilal Paswan and Nathuni Yadav are said to have disclosed that
petitioner and others were sitting near the canal bridge where the



occurrence took place. It is further submitted that Indrama Singh and Dhanji Yadav confessed their guilt and disclosed the name of petitioner. Save and except confessional statement of co-accused there is no tangible material to show the involvement of the petitioner in the case. Dhanji Ram and Prem Chand Kumar Singh @ Prem Yadav have already been granted by different benches of this court.

The learned Additional Public Prosecutor did not dispute the facts.

Considering the facts that name of petitioner firstly figured in the case in the statement of police spy and thereafter in the confessional statement of co-accused but nothing has been recovered from the possession of the petitioner and petitioner has not been put in T. I. parde, the above named petitioner 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 the learned S.J-1st-cum-Additional Chief Judicial Magistrate, Bikramganj, Rohtas at Sasaram in Nasriganj (Rajpur) P.S. Case No. 153 of 2016.

(Prabhat Kumar Jha, J)

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