

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46805 of 2017

Arising Out of PS.Case No. -150 Year- 2016 Thana -KAJI MUHAMMADPUR District-
MUZAFFARPUR

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1. Dayanand Prasad Gupta, Son of Late Sidheshwar Prasad Gupta, Resident
of Mohalla- Langartoli, Police Station- Pirmahore, District- Patna.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dinesh Jha, Adv.

For the Opposite Party : Mr. Anish Chandra, APP 183

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

ORAL ORDER

3 06-12-2017

Heard both sides.

The petitioner seeks bail in Kazi Mohammadpur P.S.
Case No. 150 of 2016 registered under Sections 395 and 412 of
the Indian Penal Code.

The learned counsel for the petitioner submits that
the petitioner is not named in the first information report. One
Mahesh @ Kalia was arrested. The co-accused, Mahesh @ Kalia,
confessed his guilt and disclosed the name of Mantu Kumar Singh,
but, Mantu Kumar Singh did not disclose the name of the
petitioner. Mantu Kumar Singh handed over Rs.9,00,000/- to
Raju, son of the petitioner, but, even Mantu Kumar Singh did not
disclose the name of the petitioner as participant in the dacoity or
recipient of the booty. On the disclosure made by Mantu Kumar
Singh, the house of the petitioner was raided and Rs.5,00,000/-,
said to be looted one, was recovered.

It has, further, been submitted that Raju, the son of
the petitioner had kept the money in the house and for that the
petitioner can not be held responsible.



Prayer for bail of the petitioner was earlier dismissed, once again, on 20.08.2016 vide Cr. Misc. No. 35986 of 2016 and, thereafter, rejected on 06.03.2017 vide Cr. Misc. No. 48143 of 2016 with an observation that the petitioner may renew his prayer for bail, if the trial is not concluded within six months, but, it appears that the case has not yet been committed to the Court of sessions and petitioner is in jail since 08.05.2016. the petitioner has already remained in jail for more than one and half years.

Considering the facts and circumstances, aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Kazi Mohammadpur P.S. Case No. 150 of 2016** to the satisfaction of the **Additional Chief Judicial Magistrate-cum-Sub Judge, I, Muzaffarpur.**

(Prabhat Kumar Jha, J)

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