

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11720 of 2017

Arising Out of PS.Case No. -349 Year- 2016 Thana -SHERGHATI District- GAYA

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Md. Abid @ Abdul Gani, Son of Md. Arif, Resident of Village- Dhab
Rampur, P.S.- Sherghati, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. (Dr.) Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-04-2017 Heard learned counsel for the petitioner and
the learned A.P.P. for the State.

Petitioner is languishing in judicial custody
since 02.10.2016 in connection with Sherghati P.S. Case
No. 349/2016 registered for the offence punishable under
Section 392 of the Indian Penal Code.

Allegation is of robbery in the evening hours.
First Information Report is against unknown and the
petitioner's name transpired during investigation and in the
confessional statement of co-accused and his own
confession.

It has been submitted by the learned counsel
for the petitioner that he is innocent, not named in the First



Information Report and only on the basis of recovery of one silver anklet and during investigation that from the looted mobile petitioner talked with other accused persons that he has been made accused. It is submitted that no Test Identification Parade has been done of the recovered article and on the confessional statement of other co-accused and his own confession he has been falsely implicated. It is further submitted that other co-accused persons have since been granted the privilege of bail by Coordinate Benches of this Court in Cr. Misc. No. 5589 of 2017 on 23.02.2017 and Cr. Misc. No. 10445 of 2017 on 06.03.2017.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate, Sherghati, Gaya, in connection with Sherghati P.S. Case No. 349/2016, subject to the condition that the petitioner will appear before the police/ court on each and every date and failure to appear on two consecutive dates



without assigning any reason will entail cancellation of his
bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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