

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33064 of 2018

Arising Out of PS. Case No.-24 Year-2018 Thana- PASRAHA District- Khagaria

Hazari Mandal, son of Chaturbhuj Mandal, Resident of Village- Kolbara, P.S.
Parbatta, District-Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-06-2018 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody in connection with
Pasraha P.S. Case No. 24 of 2018 registered under Section 395
of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent and he was apprehended
on the basis of the clue from spy and thereafter his confessional
statement was recorded by the police. Counsel further submits
that no incriminating article was recovered from the possession
of the petitioner. Since the case was registered against unknown
it was obligatory on the part of the prosecution to put the
petitioner on Test Identification Parade but nothing was done to
establish the identity of the petitioner in the commission of the



crime.

Considering the fact that the petitioner has no criminal antecedent nor he was put on Test Identification Parade, particularly in view of the fact that the case was registered against unknown, let the petitioner, above named, be released 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 CJM, Khagaria in connection with Pasraha P.S. Case No. 24 of 2018.

Bailors shall be the family members of the petitioner.

(Anil Kumar Upadhyay, J)

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