

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54133 of 2018

Arising Out of PS. Case No.-366 Year-2015 Thana- MADHEPURA District- Madhepura

Santosh Prasad Yadav @ Santosh Yadav S/o Rajdeep Yadav, R/o Vill.-
Jamhara, P.S.- Sonbarsa Raj, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 20-09-2018 Heard learned counsel appearing on behalf the
petitioner and counsel appearing on behalf of the State.

The petitioner is in custody since 16.05.2018 in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 366 of 2015 for the offence under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 16.05.2018. This case was registered against some unknown persons. The name of the petitioner figures in this case on the confessional statement of Co-accused Kapildeo Yadav. In a case lodged against unknown persons, the obligation of the prosecution to put the accused person on Test identification Parade so that identification of the accused may be ascertained. Learned counsel for the petitioner



further submits that nothing has been recovered from the possession of the petitioner. Petitioner was not named in the F.I.R. He submits that in the instant case investigation is complete, in that view of the matter the petitioner deserves for bail.

Considering the aforesaid fact that the petitioner is in custody since 16.5.2018, let the petitioner named above, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 366 of 2015

(Anil Kumar Upadhyay, J)

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