

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26147 of 2018

Arising Out of PS.Case No. -579 Year- 2017 Thana -RAJAUN District- BANKA

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Kundan Kumar Yadav, S/o Sago Yadav @ Sadhu Yadav, R/o
Vill.- Kathchatar, P.S.- Rajoun, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Adv.

For the State : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 18-05-2018 The petitioner seeks bail in connection with
Rajoun P.S. Case No. 579 of 2017, dated 13.11.2017,
instituted for the offence punishable under Section 392 of the
Indian Penal Code.

The informant was robbed of his money (Rs.
1,00,000/- and odd) and his personal belongings while
returning to his office after collecting the aforesaid amount.

The petitioner has not been named in the First
Information Report. His name transpired only on the
confession of a co-accused. Later, the petitioner, it has been
argued, was made to be identified by the father of the



informant. This identification does not mean anything as only the informant was waylaid and he could have only identified any miscreant. That apart, he was made to be identified at the police station. No regular Test Identification Parade has been held.

The falsity of the case appears from the fact that it has been shown in the records that the photocopies of the stolen documents were found in the house of the petitioner.

Learned counsel for the petitioner submits that it would serve no purpose in keeping the photocopies of the original documents, which are said to have been robbed.

The petitioner does not have any criminal antecedent and is in custody since 18.12.2017.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No. 579 of 2017.

(Ashutosh Kumar, J)

Praveen-II/-

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