

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23310 of 2018

Arising Out of PS. Case No.-602 Year-2011 Thana- JAHANABAD District- Jehanabad

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Gautam Kumar, S/o Mahesh Sharma, R/o Village-Bhadseri, P.S. Kako (Bhelawar O.P.), Distt.-Jehanabad, Presently residing at Muralidhar Colony, Court Area Jehanabad, P.S. Jehanabad, Distt. Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 17-05-2018 Heard learned counsel for the petitioner and learned learned Additional Public Prosecutor for the State.

The petitioner is in custody in connection with Jehanabad P.S. Case No. 602 of 2011 for offenses under Sections 392/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. He has been implicated in this case at the instance of the police. He submits that in case where the informant has claimed that he can identify the accused, the prosecution is under obligation to put the accused on Test Identification Parade so that his identity in commission of the crime is established. In the instant case the petitioner was not put on TIP and as such in a situation like the present one the



petitioner deserves bail. The petitioner, on surrender, is languishing in jail since 16.03.2018

Considering the fact that the petitioner was not put on TIP and not named in the F.I.R., let the petitioner, above named, be enlarged 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 Additional Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S. Case No. 602 of 2011.

(Anil Kumar Upadhyay, J)

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