

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27504 of 2018

Arising Out of PS. Case No.-260 Year-2017 Thana- LAHERIMUHALLA District- Nalanda

Md. Seraj Son of Late Md. Ismile Resident of Village-Chainpura P.S. Bihar
Sharif District Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

Criminal Miscellaneous No. 35040 of 2018

Arising Out of PS. Case No.-260 Year-2017 Thana- LAHERIMUHALLA District- Nalanda

Md. Faiyaz @ Jhojha @ Faiyaz, son of Md. Riyaz, resident of Mohalla-
Sufinagar (Thaibai), P.S.- Bihar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In Criminal Miscellaneous No. 27504 of 2018)

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sri Kalyan Shankar, APP

(In Criminal Miscellaneous No. 35040 of 2018)

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Sri Mustaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 02-07-2018 Heard learned counsel for the petitioners and

learned learned Additional Public Prosecutor for the State.

The petitioners are in custody in connection with
Laheri P.S. Case No. 260 of 2017 for the offenses under
Sections 457 and 380 IPC.

Learned counsel for the petitioner submits that



petitioners are in custody since 1.2.2018 and 18.9.2017 respectively. The FIR was lodged against unknown. Till date they have not been put on Test Identification Parade. In a case lodged against unknown the prosecution is under obligation to establish the identity of the accused in the commission of the crime.

Since TIP has not been done in the instant case despite the fact that the petitioners are in custody since 1.2.2018 and 18.9.2017, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the ACJM-1, Nalanda at Biharsharif in connection with Laheri P.S. Case No. 260 of 2017.

(Anil Kumar Upadhyay, J)

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