

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52021 of 2018

Arising Out of PS. Case No.-288 Year-2010 Thana- BISFI District- Madhubani

Subodh Das S/o Late Kaisi Das, R/o Vill.- Gogaul, P.S.- Singhwara, District-Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Sri Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking regular bail in connection with Bisfi P. S. Case No. 288 of 2010 registered for the offences punishable under Sections 395 and 397 of the Indian Penal Code.

Learned counsel for the petitioner submits that the first information report has been lodged on the fardbeyan of one Birednra Kumar Arya who has alleged that while he was sleeping with his family members in the night hours on 22.12.2010, at about 12:15 a.m. some unknown criminal entered into the house by breaking the door and started assaulting the informant and his wife and also snatched away the ornaments. It is alleged that altogether 10 miscreants had entered into the



house and they committed loot in the house of the brother of the informant and assaulted him who has been sent for treatment.

Learned counsel for the petitioner submits that the petitioner is neither named in the F.I.R. nor during investigation any witness has implicated this petitioner in the present case. There is no recovery of any incriminating articles from the petitioner. He has not been put on test identification parade till date.

Learned counsel for the petitioner further submits that the petitioner is a disabled person and cannot move freely without any help. His name has transpired in the confessional statement of co-accused Maksudan Das but there is no independent material to support the allegation. The petitioner has got no criminal history.

Learned APP has opposed the prayer of bail.

Considering the facts and circumstances of the case wherein the petitioner is not named in the F.I.R. and has not been put on test identification parade so far as also nothing has been recovered from his possession, let the petitioner Subodh Das be released on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-



VII, Madhubani in connection with Bisfi P. S. Case No. 288 of
2010, subject to the condition as laid down under Section 437
(3) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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