

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52278 of 2018

Arising Out of PS. Case No.-63 Year-2018 Thana- BALRAMPUR District- Katihar

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Md. Rizaul @ Md. Rezaul @ Razaul S/o Late Imamul Haque, R/o Vill.-
Bagdogra, P.S.- Balrampur, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

Criminal Miscellaneous No. 52328 of 2018

Arising Out of PS. Case No.-63 Year-2018 Thana- BALRAMPUR District- Katihar

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Deepu Das @ Dipu Das S/o Late Sapan Das, R/o Vill.- Kirora, P.S.-
Balrampur, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In Criminal Miscellaneous No. 52278 of 2018)

For the Petitioner/s : Mr. Jibendra Mishra

For the Opposite Party/s : Mr. Binod Kumar 3

(In Criminal Miscellaneous No. 52328 of 2018)

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-11-2018 Since both the cases arise out of the same P.S. case

number, they have been taken up together and are being

disposed of by this order.

Heard learned counsel for the petitioner in both the

cases.

Petitioners pray for bail in connection with Balrampur



P.S.Case No. 63 of 2018 registered for the offences punishable under Sections 393, 397 and 354B of the Indian Penal Code.

Allegation as per FIR is of commission of dacoity in the house of the informant and in course of dacoity cash, gold, silver and other household articles have been looted away. Petitioners are not named in the FIR.

Submission of learned counsel for the petitioners in both the cases is that they are not named in the FIR and their names transpired during investigation in confessional statement of co-accused and they have not been put on T.I. Parade and they are in custody for about five months. Further submission is that though it is alleged that there is recovery from the petitioner Md. Rizaul on the basis of confessional statement of co-accused but paragraph 112 of case diary shows that some papers, identify card, etc. were recovered and petitioners have no criminal antecedent.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, let the petitioner,s above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar, in



connection with Balrampur P.S.Case No. 146 of 2018, G.R.No. 1680 of 2018, subject to the condition that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned and further condition is that petitioners have to co-operate in disposal of trial and appear before the court as and when required, otherwise their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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