

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15815 of 2019

Arising Out of PS. Case No.-126 Year-2018 Thana- AKBARPUR District- Nawada

PRAMOD KUMAR YADAV @ PRAMOD YADAV Son of Late Parmeshwar
Yadav Resident of Village - Pakri Barawan, P.S.- Pakri Barawan, District-
Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-03-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 8.8.2018 in a case registered for the offence punishable under Section 394 of the I.P.C.

The prosecution case is that the informant's motorcycle, cash amount of Rupees Six Thousand and mobile phone were robbed, leading to registration of FIR against four unknown accused persons. During investigation, one Rupesh Kumar was arrested, from whose possession, the looted mobile phone was recovered, and he suggested the name of the petitioner as the person involved in the alleged occurrence.

It is submitted by learned counsel for the petitioner that there is no recovery from possession of the petitioner nor the petitioner has not been put on Test Identification Parade till date.



It is further submitted that the investigation has already been concluded.

Though the petitioner is accused in five other cases, out of which, he is on bail in four cases, and in fact, the petitioner has also been acquitted in the four cases, though statement to that effect has not been made in the petition.

Learned APP submits that the name of the petitioner sprang up in the confessional statement of co-accused Rupesh Kumar from whose possession, robbed mobile phone was recovered.

Considering the fact that the investigation has already been concluded, prosecution report does not suggest that the petitioner has been put on Test Identification Parade till date, no recovery has been made from possession of the petitioner and the period in custody, let the petitioner above named be released 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 learned ACJM I, Nawada in connection with Akbarpur P.S. Case No.126 of 2018.

(Dinesh Kumar Singh, J)

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