

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9004 of 2019

Arising Out of PS. Case No.-303 Year-2017 Thana- BAUNSI District- Banka

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MUKESH YADAV Son of Chandradeo Yadav @ Chander Yadav Resident of
Village- Jokela, Police Station- Saraiyahat, District-Dumka (Jharkhand)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-02-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 29.1.2018 in a case registered for the offence punishable under Section 392 of the I.P.C.

The prosecution case as per the written report of Nishikant Singh, submitted to the SHO, Bausi Police Station is to the effect that on 12.12.2017, when the informant, who was working in a financial company, was returning after making collection, three motorcycle borne miscreants robbed Rs.46,795/-, a Samsung tab and bio metric machine, mobile phone and Pan Card, leading to registration of FIR against unknown. The petitioner's name sprang up in the confession of co-accused.

It is submitted by learned counsel for the petitioner that no



recovery has been made from possession of the petitioner nor has the petitioner been put on Test Identification Parade till date and the investigation has already been concluded. However, apart from the present case, the petitioner has been roped in one other case.

Learned APP submits that the petitioner's name sprang up during investigation.

Considering the nature of recovery, the fact that the petitioner has not been put on Test Identification Parade and the period under 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 III, Banka in connection with Bounsi P.S. Case No.303 of 2017.

(Dinesh Kumar Singh, J)

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