

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10668 of 2019

Arising Out of PS. Case No.-628 Year-2018 Thana- MOHANIYA District- Bhabhua (Kaimur)

ISRAR ALI Son of Md. Islam Ali Resident of Village- Durgawati, Sarai Ward
No. 11, P.S.- Durgawati, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-02-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 5.12.2018 in a case registered for the offences punishable under Sections 356 and 379 of the I.P.C., later on amended under Sections 395,412 and 414 of the IPC.

The prosecution case as per the written report of Babu Rain submitted to the SHO, Mohania Police Station is to the effect that on 21.10.2018 the informant was robbed of his mobile phone and cash leading to registration of FIR against three unknown. During investigation, the name of the petitioner transpired on the confession of co-accused Shamshad Ali.

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



Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up in the confession of co-accused.

Considering the fact that the petitioner has not been put on Test Identification Parade and is in custody since more than two months, coupled with the statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, 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 CJM, Kaimur at Bhabua in connection with Mohania P.S. Case No.628 of 2018.

(Dinesh Kumar Singh, J)

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