

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34190 of 2019

Arising Out of PS. Case No.-152 Year-2018 Thana- PHULWARIA District- Begusarai

NITISH KUMAR S/o Girish Paswan R/O- Vill.- Barauni Flag, P.S.- Teghra,
Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 08.12.2018 in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

The prosecution case is that robbery was committed in the office of the informant by four accused persons, leading to registration of FIR against unknown. The name of the petitioner sprang up on the basis of confession of apprehended co-accused Ganesh Kumar.

It is submitted by learned counsel for the petitioner that the petitioner has maliciously been roped in the present case. In fact, neither any recovery has been made from the conscious physical possession of the petitioner nor he has been



put on Test Identification Parade. Moreover, the investigation has already been concluded. Though the petitioner is accused in one other case, but he is on bail in that case.

Learned APP for the State submits that the name of the petitioner sprang up during investigation on the basis of confessional statement of apprehended co-accused Ganesh Kumar.

Considering the fact that the investigation has already been concluded but the petitioner has not been put on Test Identification Parade, let the above named petitioner 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 learned Judicial Magistrate, 1st Class, Begusarai in connection with Phulwariya P.S. Case No.152 of 2018.

(Dinesh Kumar Singh, J)

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