

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46049 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- KATEYA District- Gopalganj

BHOLA NUT Son of Ishaque Nut Resident of Village- Kanchanpur, P.S.-
Tarkulwa, District- Deowaria (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohammad Sufyan, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 30-09-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in **Kateya P.S. Case No. 36 of 2019** instituted for the offence under Sections 395 and 397 of the Indian Penal Code.

The petitioner is made an accused in this case of *dacoity* which is instituted against unknown persons.

It is submitted that his name has been dragged in this case on account of his confession and statement of co-accused Sanjay Nut which has been taken after his arrest in connection Kateya P.S. Case No. 41 of 2019.

The co- accused Sanjay Nut has been allowed bail in Cr. Misc. no. 54847 of 2019 by Co-ordinate Bench of this Court under order dated 05.09.2019.



The petitioner is in custody in connection with this case since 14.03.2019 and he too has not been put on Test Identification Parade, even on account of recovery. He is similarly situated as it is submitted that nothing has been recovered from possession of petitioner and that investigation is already complete.

Learned APP for the State opposed the prayer for bail.

Having considered the rival submissions of the parties, prayer for bail is allowed. 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 **Chief Judicial Magistrate, Gopalganj** in connection with **Kateya P.S. Case No. 36 of 2019**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his



bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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