

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.44009 of 2019

Arising Out of P.S. Case No.-219 Year-2013 Thana- DHAKA District- East Champaran

Jagdeo Nat @ Bagar Nat, aged about 46 years, Male, Son of Baldeo Nat @ Baldeo Ram Resident of Village and P.O.- Ajgari, P.S.- Pakaridayal, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bimalesh Kumar, Advocate

For the Opposite Party : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

3 25-09-2019 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor and perused the case diary.

The petitioner is in custody in connection with Dakha (Pach Pakari) P.S.Case No.219 of 2013 registered for an offence under Section 395 of the Indian Penal Code.

As per prosecution case, the petitioner and other co-accused persons are alleged to commit dacoity in the house of the informant at the gun point and they also looted Rs.15,000/- and jewellery worth Rs.50,000/- and other articles .

It is submitted on behalf of the petitioner that the petitioner is not named in the FIR. His named transpired on the basis of confessional statement of some other co-accused persons. It is also submitted that till date no test identification parade has been done. He also submits that similarly situated co-accused persons has already been granted regular bail by a coordinate Bench of this Court in Cr.Misc.No.24049 of 2014 vide order dated 02.08.2014. It is also submitted that



chargesheet has already been submitted and petitioner is in custody since 19.03.2019.

In view of the aforesaid facts, 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 Additional District & Sessions Judge-15, East Champaran, Motihari in Sessions Trial No.246 of 2019 arising out of Dhakha (Panch Pakari) P.S.Case No.219 of 2013 with following conditions:-

(i) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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