

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1552 of 2019

Arising Out of PS. Case No.-88 Year-2018 Thana- DARIYAPUR District- Saran

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1. Jawala Prasad @ Jawala Prakash, S/o Late Babu Gupta, R/o Mohalla-Arya Nagar, P.S. Chapra, Mofassil, District-Saran at Chapra.
2. Manu Rai, S/o Raju Rai, R/o Village-Chhota Telpa, P.S. Chapra, Mufassil, District-Saran, Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Maheshwar Prasad

For the Opposite Party/s : Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 15-02-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in Dariyapur P.S. Case
No. 88 of 2018 registered under Sections 392, 34 of the Indian
Penal Code.

Some unknown miscreants are said to have looted
the cash of Rs. 72,098/- from the informant collected by him,
who happens to be S.M. in Bharat Financial Inclusion Ltd.

It is submitted by learned counsel for the
petitioners that the petitioners are neither named in the FIR nor
apprehended on the spot nor any incriminating article has been
recovered from their conscious physical possession. They were



not put on TIP. There is no eye witness of the occurrence. There is no cogent evidence on record indicating the complicity of the petitioners in the occurrence barring the confessional statement of the petitioners, which has no evidentiary value in the eye of law. They have been languishing in custody since 29.10.2018.

On the other hand, learned APP opposed the bail prayer of the petitioners.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Saran at Chapra in connection with Dariyapur P.S. Case No. 88 of 2018

(Prakash Chandra Jaiswal, J)

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