

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82880 of 2019

Arising Out of PS. Case No.-136 Year-2016 Thana- NARDIGANJ District- Nawada

Chhote Yadav @ Ghanshyam Yadav @ Shyam Sundar Yadav @ Chhtu Yadav
Son of Late Shivdani Yadav Resident of Village- Khanpura, P.S-Giriyak,
District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 13-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offence punishable under Section 395 of the Indian Penal Code.

The FIR of the occurrence of dacoity is against
unknown. Petitioner is in custody since 29.05.2019.

Submission is that the petitioner was never put on Test
Identification Parade during investigation, which is already
closed now. Neither incriminating article was recovered from
the possession of the petitioner. Name of the petitioner surfaced
in this case on the confessional statement of co-accused before
the police which is no evidence in the eyes of law.

Finding substance in the submission aforesaid, let the



petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Nardiganj P.S. Case No.136 of 2016, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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