

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2300 of 2019

Arising Out of PS. Case No.-331 Year-2014 Thana- KATORIYA District- Banka *

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Dharmendra Kr. Singh @ Dharmendra Singh @ Formen Singh, Son of
Chhotelal Singh, Resident of village- Malaypur (Rathour Tola), P.S.-
Malaypur, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Sharma

For the Opposite Party/s : Mr. Tapeswar Sharma

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 06-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 395 of the Indian Penal Code.

Seven motorcycle borne criminals are said to have
looted cash of Rs.24000/-, ATM Cards, PAN Card and golden
chain of the informant on the point of pistol.

It is submitted by learned counsel for the
petitioner that the petitioner is neither named in the F.I.R. nor he
was apprehended on the spot. No incriminating article has been
recovered from his conscious physical possession. He was not
put on T.I.P. There is nothing in the record indicating the
complicity of the petitioner in the occurrence barring the
confessional statement of co-accused namely Kunal Kumar



Singh which has no evidentiary value in the eye of law. Petitioner had no knowledge of lodging of the case against him, however on learning the same he suo motu surrendered before the court on 15.09.2018 and he is languishing in custody since then without any fault.

On the other hand, learned APP for the State opposed the prayer for bail.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 learned P.O. F.T.C.-I, Banka in connection with S.T. No. 202/2018 (arising out of Katoria P.S. Case No. 331/2014).

(Prakash Chandra Jaiswal, J.)

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