

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20022 of 2020**

Arising Out of PS. Case No.-207 Year-2019 Thana- MAHUA District- Vaishali

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LALAN DAS Son of Late Shivjee Das Resident of Village - Koderiya, P.S.
Kajra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saroj Kumar

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 18-06-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner seeks bail in Mahua P.S. case No. 207/2019 registered under Section 395, 397, 412 of the Indian Penal Code.

The informant lodged the case against unknown for dacoity in his house and alleged that dacoits took away ornaments and other articles worth Rs. 36 lakhs. The dacoits also took away five mobiles belonging to the family members of the informant.

The learned counsel for the petitioner submits that petitioner is not named in the FIR. Name of the petitioner figured in the case in the confessional statement of co-accused Arvind Sahni and Jafar Quiraishi but save and except confessional statement of co-accused there appears no tangible material against the petitioner to show the involvement of the petitioner in the dacoity. The petitioner is in custody since



26.02.2020 but he has not been put in T.I. parade and charge sheet is submitted only on the basis of confessional statement. No incriminating articles has been recovered from the possession of the petitioner.

The learned APP, however, opposed the prayer for bail.

Perused the FIR. The petitioner is not named in the FIR. Of course, the name of petitioner figured in the confessional statement of co-accused Arvind Sahni and Jafar Quiraishi but no incriminating articles has been recovered from the possession of the petitioner. The petitioner has not been put in T.I. parade. Jafar Quiraishi has already been granted bail by a coordinate bench of this court vide order passed in Cr. Misc. No. 63687/ 2019.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner, above named is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-X, Vaishali at Hajipur in connection with Mahua P.S. case No. 207/ 2019.

(Prabhat Kumar Jha, J)

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