

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.84563 of 2019**

Arising Out of PS. Case No.-67 Year-2019 Thana- PARSAUNI District- Sitamarhi

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AJAY MAHTO Son of Vindeshwar Mahto, Resident of Village - Gisara, P.S.-
Parsauni, Distt - Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 27-05-2020

This application has been placed for consideration by
the order of the Hon'ble the Chief Justice through virtual court
proceeding.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail
who is in custody since 15.10.2019 in connection with Parsauni
P.S. Case No. 67 of 2019 registered for the offences punishable
under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has been brought in this case on the basis of the
confessional statement of the co-accused Md. Saddam. No
incriminating article has been recovered from the possession of
the petitioner, he has no criminal antecedent and save and



except the confessional statement of the co-accused there is nothing against him. Till date no Test Identification Parade has been conducted.

Learned A.P.P. for the State does not dispute the submission of learned counsel for the petitioner and accepts that in course of investigation no looted article has been recovered from the possession of the petitioner and further that till date the petitioner has not been put on Test Identification Parade.

This being the position, there being no argument that the release of the petitioner is in any way likely to interfere with the course of justice, let the petitioner above named be released on bail in connection with Parsauni P.S. Case No. 67 of 2019 on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned First Class Judicial Magistrate, Sitamarhi, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of



the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During the Pandemic Period'.

