

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1665 of 2020

Arising Out of PS. Case No.-66 Year-2019 Thana- BAGHA District- West Champaran

SUBHASH YADAV Son of Late Ramchandra Yadav Resident of Village -
Kataiya, P.S.- Lauriya, Distt.- West Champaran. Petitioner
Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking regular bail in connection with Bagaha P.S. Case No. 66 of 2019 registered for the offence punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the petitioner is in custody since 12.02.2019 but he has not been put on test identification parade. It is further submitted that the petitioner has not been identified by any person and without any incriminating material the petitioner has been remanded in this case. It is further submitted that the petitioner is on bail in other cases in which he has been made accused.

Learned APP has opposed the prayer of bail of the petitioner.



Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner is not named in the FIR and despite lapse of more than 11 months of custody of the petitioner in connection with the present case no test identification parade has been conducted, the petitioner has not been identified and further submission is that no incriminating article has been recovered from possession of the petitioner and though there are three cases against the petitioner, he is on bail in all those cases and further considering the period of custody i.e. since 12.02.2019, let the petitioner above named be released on bail in connection with Bagaha P.S. Case No. 66 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Ist, Bagaha, West Champaran, 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.

(Rajeev Ranjan Prasad, J)

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