

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26007 of 2022

Arising Out of PS. Case No.-209 Year-2021 Thana- BARBIGHA District- Sheikhpura

BAUAJI @ GAUTAM KUMAR SON OF KARU SINGH @ VIPIN SINGH
R/O VILLAGE- MAHRATH, P.S.- SHAHPUR, DISTRICT- NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 396, 307 and 120B of the Indian Penal Code.

As per the prosecution case, it is stated that five accused persons committed dacoity of whom the informant identified one Ayush Kumar.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the FIR. His name transpired in course of investigation in confessional statement of co-accused made before police. No incriminating article has been recovered from his possession. He has not been put on T.I. parade. The petitioner is in custody since 5.12.2021 and has no criminal antecedent.



The application for bail is opposed by learned APP for the State. However, learned APP submits that there is no material in the case diary mentioning about T.I. parade having been conducted of the petitioner.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation, no incriminating article having been recorded from the petitioner's possession together with the petitioner not having been put on T.I. parade inspite of having remained in custody for more than a year since 5.12.2021 and chargesheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Sessions Case no. 55 of 2022 (arising out of Barbigha (Mission O.P.) P.S. Case no. 209 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Sessions Judge, Sheikhpura.

(Partha Sarthy, J)

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