

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Cr.Misc. No.32553 of 2008**  
**DILIP SINGH @ DILIP MANDAL**  
**Versus**  
**STATE OF BIHAR**  
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3.      **28.11.2008**                      Heard Sri Gopal Prasad Roy, Advocate for the petitioner  
and the learned A.P.P. for the State.

The case is under Section 395 of the IPC and the petitioner is in custody since 1.10.2007. The remand of the petitioner was on the basis of a confession of this petitioner recorded on 13.7.2007 but in spite of being in custody the petitioner was not remanded before 1.10.2007 in this case.

The contention is that the police did not have any other material and it was simply not sufficient for remanding the petitioner in the case. The further contention is that in spite of being in custody the petitioner was not put on test identification parade nor anything was recovered from him.

Let the above named petitioner be released from custody on furnishing bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction Additional Sessions Judge, F.T.C.I, Bhagalpur in S.T.No.36 of 2008(Bath P.S.Case No.20 of 2007).

**B.Kr.**

**( Dharnidhar Jha, J. )**