

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 3523 of 2015

Arising out of P. S. Case No. - 2 Year - 2014 Thana - KATIHAR GRP CASE District - KATIHAR

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1. Afaque Alam, S/o Late Manjar Ali, resident of village - Dulali, P.S.
Bahadurganj, District - Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Abhay Kumar No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-01-2015

Heard both sides.

The petitioner seeks regular bail in Kishanganj
Rail P.S. Case No. 02 of 2014, registered for the offences
punishable under Sections 328 and 379/34 of the Indian Penal
Code.

The allegation is that some unknown persons
supplied biscuits to the informant and his friends and thereafter
they became unconscious and then the unknown persons
committed theft of their belongings.

Learned counsel for the petitioner submits that
petitioner is not named in the First Information Report. Nothing
has been recovered from the possession of the petitioner. On the
basis of the call detail reports of the theft mobile Ajina Khatoun
was arrested and she disclosed her son-in-law Md. Sabir Alam as

user of the mobile. Md. Sabir Alam disclosed the name of Manjar Alam that he purchased the mobile from him. Manjar Alam is said to have purchased the mobile from the petitioner. It appears that nothing has been recovered from the possession of the petitioner and his name figured in the case in the confessional statement of the co-accused.

Considering the facts aforesaid, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Katihar in connection with Kishanganj Rail P.S. Case No. 02 of 2014.

(Prabhat Kumar Jha, J.)

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