

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29691 of 2015

Arising Out of PS.Case No. -21 Year- 2015 Thana -LODIPUR District- BHAGALPUR

- =====
1. Md. Imtiyaz S/o Md. Muslim @ Md. Islam resident of Village - Amla Mali, Palgania, P.S.- Godda, District- Godda (Jharkhand).
 2. Majbool Ansari S/o Naviuddin Ansari resident of village - Tiodih, P.S. - Godda, Distt. Godda, (Jharkhad)

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ajay Mukherjee
For the Opposite Party : Mr. Sanjay Kumar Tiwary (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-10-2015 Heard the counsel for the petitioners and counsel for the State.

The petitioners are languishing in jail since 25.03.2015 in a case instituted under Sections 379 and 328 of the Indian Penal Code.

As per the FIR, three persons boarded on the auto-rickshaw of the informant and when they reached near police station, after smelling intoxicated articles informant became unconscious and thereafter the aforesaid three persons taken away the mobile, auto rickshaw and other items of the informant.

It has been submitted on behalf of the petitioners that the petitioner are in custody since 25.03.2015. Chargesheet has

been submitted in the case. There is no allegation of tampering of evidence against the petitioner. Petitioner has got no criminal antecedent. In course of investigation, he has been made accused. There is no recovery of any incriminating article from the possession of the petitioner. Petitioner is not named in the FIR. It is further submitted that the petitioners may be released after completion of nine months in custody from 25.03.2015.

On behalf of the State, it has been submitted that the petitioner is not named in the FIR.

Considering the aforesaid facts and circumstances, it is directed that the petitioners be released after completion of nine months in custody from 25.03.2015 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Shri Rajeev Ranjan Raman, Judicial Magistrate, Ist Class, Bhagalpur in connection with Lodipur P.S.Case No.21 of 2015, G.R.No.826 of 015.

(Sudhir Singh, J)

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