

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50546 of 2014

Arising Out of PS.Case No. -104 Year- 2014 Thana -MURLIGANJ District- MADHEPURA

Sarfaraz Akhtar @ Guddu son of Md. Ishaque Resident of village - Kanp Bazar, Police Station - Sour Bazar, District - Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Shekhar Kumar Singh, Advocate
For the State : Mr. Anil Kumar Singh, (App)

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

4 04-03-2015 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in a case registered under
Sections 395 and 397 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that he
has been apprehended on the basis of self-incriminating
confessional statement made by co-accused, Rajesh Kumar and
Mantosh Kumar. It is further submitted that during the routine
checkup by the police the petitioner was apprehended along with
nokia mobile phone. Police has stated in the seizure list that the
mobile phone was stolen one but there is nothing on record to
show that how the police has come to the said conclusion. There
is no comparison of I.M.E.I. number etc. and neither the mobile

phone nor the concerned recovered articles have been put to test of identification. Petitioner is stated to be in custody since 19.07.2014. It is submitted that, after his arrest in this case, the petitioner has been remanded in two other cases i.e., Murliganj P.S. Case No.140/2014 as well as 142/2014.

Having regard to the facts and the circumstances of the case, the petitioner, Sarfaraz Akhtar @ Guddu is directed to be released on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhepura in connection with Murliganj Police Station Case No.104/2014 corresponding to G.R. No.1146/2014 with a condition that one of the bailors must be his father. Further, if the petitioner, after his release in this case, is again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Dr. Ravi Ranjan, J)

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