

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30563 of 2014

Arising Out of PS.Case No. -53 Year- 2013 Thana -LAHERIASARAI District- DARBHANGA

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1. Md. Irfan @ Md. Irfan Khan Son of Md. Jalaluddin Resident of Village -
Talkhapar, District + P.S.- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Kamran

For the Opposite Party/s : Mr. Arvind Kr. Panday (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 27-01-2015 Heard learned counsel for the petitioner and learned

counsel representing the State.

Supplementary affidavit has been filed on behalf

of the petitioner seeking correction in the statement made in

paragraph 3 of the petition to the extent that the petitioner is

accused in Sitamarhi P.S. Case No. 120 of 2013 under Section

307/34 of the Indian Penal Code and from that case the petitioner

has been remanded in Laheriasarai P.S. Case No. 53 of 2013

registered for the offence punishable under Section 379 of the

Indian Penal Code and then the apprehension of arrest of the

petitioner starts.

Allegedly, Suzuki Hayat motorcycle of the

informant was stolen away by some unknown persons and

accordingly the case was registered.

It is submitted that the said motorcycle was recovered from possession of co-accused Faiz Ahmad and not from the possession of the petitioner and that Faiz Ahmad has been allowed regular bail by the court below vide B.P. No. 43 of 2014, as such, the petitioner deserves sympathetic consideration to which the learned APP does not oppose.

In the facts and circumstances stated above, the petitioner above name, in case of his surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No. 53 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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