

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5332 of 2015

Arising Out of PS.Case No. -2 Year- 2014 Thana -KATIHAR GRP CASE District- KATIHAR

1. Nazir Alam Son of Mahamddin R/o Dulali, P.S- Bhadurganj, Distt-Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Asha Devi(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 09-02-2015

Heard both sides.

The petitioner seeks bail in Kishanganj Rail P.S.

Case No. 2/14 registered under sections 328, 379/34 of the Indian Penal Code.

The informant lodged the case against unknown for committing theft after giving intoxicant with biscuit.

Learned counsel for the petitioner submits that the petitioner is not named in the first information report. During the course of investigation a theft mobile was recovered. Azina Khatoon disclosed that his son-in-law Md. Sabir Alam was using the mobile from whose possession mobile was recovered. Md. Sabir Alam disclosed the name of the petitioner. It appears that the petitioner was apprehended and the police got his confessional

statement. Except the confessional statement police did not collect any other material to show the involvement of the petitioner.

Considering the aforesaid facts and the fact that there is no material except the confessional statement against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Railway Judicial Magistrate, Katihar in Rail P.S. Case No. 02/14.

(Prabhat Kumar Jha, J)

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