

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.316 of 2015

Arising Out of PS.Case No. -73 Year- 2012 Thana -SAMASTIPUR GRP CASE District-
SAMASTIPUR

1. Md. Rizwan Alam son of Shamim Shah Resident of village - Rani Sakarpura, Police Station - Gangaur, O.P. (Khagaria), District - Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar
For the Opposite Party/s Mr. Sanjay Kr.Panday(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 08.01.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

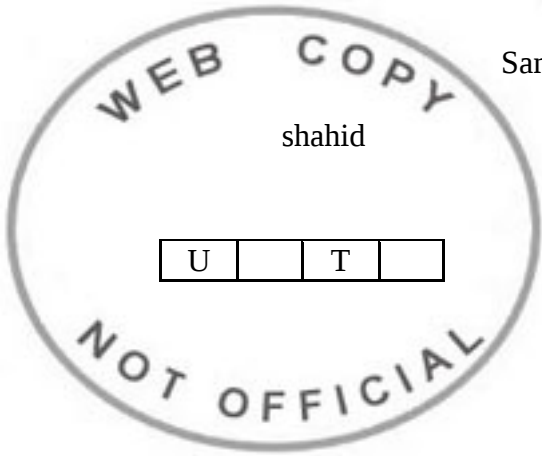
Petitioner is not named in the first information report nor anything has been recovered from the conscious possession of the petitioner and except confessional statement of co-accused as well as this petitioner, there appears to be nothing against him.

The learned court below has mentioned in the impugned order that criminal antecedent of the petitioner has been noted down by the Investigating officer at para 296 of the case diary but learned counsel for the petitioner submits that the aforesaid observation of learned court below is nothing but error of record because except present case, not a single case been instituted against the petitioner as yet and certificate to the aforesaid effect is at para 3 of this petition.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on

furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Railway Judicial Magistrate, Samastipur in Samastipur Rail P.S. Case no. 73/2012.

(Hemant Kumar Srivastava,J)



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