

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44744 of 2014

Arising Out of PS.Case No. -131 Year- 2012 Thana -CHENARI District- SASARAM (ROHTAS)

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1. Md. Azhar @ Azhar S/o Md. Islam resident of Village - Darzibigha, P.S. Madanpur, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Adv

For the Opposite Party/s : Mr. Harendra Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 13-04-2015 Heard learned counsel for the petitioner as well as

learned APP.

On the Fard-e-beyan of Ram Kumar Yadav, Chaukidar, the instant case has been registered against unknown on account of recovery of a dead body of an unknown person.

It is evident from para-16 of the case diary that the deceased was identified as Mukesh Kumar who subsequently got himself converted and became a follower of Islam and named as Abdulla, was a driver and employed under OTS company. He had loaded cigarette packets from Saharanpur (UP) over a truck bearing no. HR-55M-7488 and during midst thereof, as appears, fell prey at the hands of criminals.

It is also apparent from the case diary that cigarette packets in huge quantity were recovered within the jurisdiction of

Madanpur P.S. as is evident from para-25, more particularly, from the house of one Md. Shoib as well as Mahboob Ansari of village, Darji Bigha and that being so, apart from those two persons, petitioner along with three more persons have been suspected.

From further perusal of the case diary, it is evident that nothing has been collected against the petitioner, so far this particular case is concerned. It is also apparent from Annexure-2 with regard to recovery bearing Madanpur PS Case No. 228/2012, petitioner has already been granted bail vide Cr.Misc.No. 6184/2013.

Consequent thereupon, petitioner, Md. Azhar @ Azhar, in the event of his arrest/surrender within four weeks, is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Rohtas at Sasaram in connection with Chenari P.S. Case No. 131/2012, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

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(Aditya Kumar Trivedi, J)

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