

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32119 of 2015

Arising Out of PS.Case No. -101 Year- 2005 Thana -SIWAN CITY District- SIWAN

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Aftab Alam @ Aftab Alam (Ali) Son of Meer Hamza, Resident of village-
Sarai Chap Dhala, P.S.- Pachrukhi (Sarain O.P.), District- Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raghav Prasad, Advocate.

For the Opposite Party : Mr. Shyam Bihari Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-08-2015 Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under Sections 384, 342, 467 and 468 of the Indian Penal Code.

The informant named three persons namely Ranjan Singh, Saifullah and Madan Gond and alleged that all the three accused persons and 3 to 4 unknown persons came forcibly took his truck behind the petrol pump. The informant and others were confined and also assaulted. The accused persons disclosed that extortion of Rs. 1,70,000/- be paid to Aftab Alam, the petitioner, only then the informant and others and the truck would be released.

It is submitted that the petitioner is named in the FIR at

the instance of the accused persons who are said to have been disclosed that the extortion money was paid to Aftab Alam, but the informant did not identify the petitioner. The petitioner was arrested, but he has not been put on test identification parade. The petitioner is in jail since 23.12.2014. Of course, the petitioner has got criminal antecedent, but he has already remained in jail for eight months in this case. Co-accused Madan Gond who is named in the FIR by the informant as the person who took the truck behind the petrol pump has already been enlarged on bail vide orders passed in Cr. Misc. No. 23786 of 2005.

Considering the facts aforesaid, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate, Siwan in Siwan Town P.S. Case No. 101 of 2005.

(Prabhat Kumar Jha, J.)

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