

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48888 of 2015

Arising Out of PS.Case No. -328 Year- 2012 Thana -GORAUL District- VAISHALI(HAJIPUR)

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MD. HABIB @ MD. HABIB MIYA, SON OF MD. SALIM MIYAN,
RESIDENT OF VILLAGE-MAUDAH CHATUR, P.S. PATEPUR,
DISTRICT-VAISHALI.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Manish Chandra Gandhi, Adv.

For the Opposite Party/s : Mr. Subhash Chandra Mishra (App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 03-11-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

Informant, a goldsmith along with his father while
was proceeding towards his house on a motorcycle along with
ornaments, cash appertaining to Rs.10000/- fallen prey at the
hands of criminals who took away all the belongings including
motorcycle. Informant had also named the culprit along with
two unknown.

Admittedly, petitioner is not named in the FIR.
From the order impugned, it is evident that co-accused Naresh
Ray had made inculpatory extra judicial confessional statement
so recorded under para-50 of the case diary wherefrom
complicity of petitioner has been traced out and on account
thereof, is under custody since 18.04.2013. It is apparent from
the order impugned along with para-3 of the petition, with
regard to criminal antecedent of the petitioner.

Taking into account the nature of allegation, petitioner Md. Habib @ Md. Habib Miya is directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge, VIII, Vaishali at Hajipur in connection with Goraul P.S. Case No.328 of 2012.

(Aditya Kumar Trivedi, J.)

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