

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11551 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -KEOTI District- DARBHANGA

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Md. Akbar Son of Md. Islam, Resident of village- Dumri, P.s.- Mushari,
District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ishtiyaque Ahmad

For the Opposite Party/s : Mr. A.A.Khan (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 15-03-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under
Sections-393, 427 of the Indian Penal Code and Sections-25(i-b),
26/35 of the Arms Act.

Petitioner is said to have caught inside the ATM
machine, while he was making attempt to break the ATM
machine. Some instruments and fire-arms were recovered from
possession of the petitioner, for which, he is in jail custody since
24-01-2016.

Learned counsel for the petitioner submits that even
if, prosecution story assumed to be true, then also, it is a case of
attempt to commit theft and for recovery of fire-arms, the

petitioner has, sufficiently, been punished. It is further submitted that the petitioner does not have any criminal antecedent and as a matter of fact, he has been implicated in this case on mere suspicion.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Keoti P.S. Case No. 11 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Darbhanga at Laheriasarai.

A.K.V./-

(Hemant Kumar Srivastava, J)

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