

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21316 of 2016

Arising out of PS.Case No. -103 Year- 2015 Thana -ISHOPUR District- BHAGALPUR

Md. Feddu Md. Feddo Hussain @ Md. Fidu @ Md. Fido Hussain @ Md. Feddu @ Md. Feddo Hussain, Son of Md. Khursid, resident of Chhoti Kodarjanna , PS Mufassil, District Sahib-ganj(Jharkhand).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate.

For the Opposite Party : Mr. Nawal Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-07-2016 Learned counsel for the petitioner is permitted to make necessary corrections in paragraph nos. 9 and 12 of the petition.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 07.12.2015 in connection with Ishipur Barahat P.S. Case No. 103 of 2015 for the offences instituted under Section 392 of the IPC.

The prosecution story, in brief, is that the informant is driver of a Tempo bearing Registration No. BRPA-5566. It is alleged that two young reserved the tempo to go Beltikar Village and they started to go to Beltikar Village and on the way at Simanpur other two boys ride on the Tempo. Ahead Simanpur Chawk they altercated with the informant on the matter of fare and

they assaulted and pushed the informant from the Tempo and also snatched his mobile and fled away.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.12.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering with the evidence against the petitioner. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement made in connection with Pirpainti P.S. Case No. 238/2015. There is no recovery of any incriminating article from possession of the petitioner. The petitioner has not been put on T.I. Parade to ascertain his implication in the present case.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released 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 A.C.J.M.-VIII, Bhagalpur, in connection with Ishipur Barahat P.S. Case No. 103 of 2015.

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(Sudhir Singh, J)