

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20248 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -KHAJEKALA District- PATNA

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Md. Tinku Son of Md. Islam, Resident of Mohalla - Barkat Khan Ka Akhara, P.S. Khajekalan, District - Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar, Advocate.

For the Opposite Party : Mr. Zainul Abedin (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-07-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody in connection with Khajekala P.S. Case No. 24 of 2016 for the offences instituted under Sections 461, 379 and 411 of the Indian Penal Code.

The prosecution story in brief, is that in the midnight of 11.02.2016 and 12.02.2016, 125 mobiles and Rs. 6000/- have been theft by unknown persons from the shop of the informant.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.02.2016. There is no allegation of tampering with the evidence against the petitioner. It has further been submitted that the petitioner is not named in the F.I.R and his

name has come on the basis of confessional statement of co-accused Md. Raja, who has already been granted bail by the court below. The recovery of a stolen property is said to have been made from the open terrace of the petitioner. No compliance of section 100 Cr.P.C. has been followed.

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 Sub-Divisional Judicial Magistrate, Patna City, Patna, in connection with Khajekala P.S. Case No. 24 of 2016.

(Sudhir Singh, J.)

Amit/-

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