

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24426 of 2016

Arising Out of PS.Case No. -98 Year- 2015 Thana -KOTWALI District- MUNGER

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1. SHEIKH SADDAM @ MD. SADDAM, son of Sheikh Jumman Ali,
Resident of Village- Baialla Shaidpur, P.S. Thakurpukur, District- Waila
(West Bengal)

2. Md. Monu @ Imteyaz @ Toroma son of Jamil @ Samsher, resident of
Village Churamba, P.S.- Muffasil, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indu Bhushan

For the Opposite Party/s : Mr. Mukesh Kumar Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 02-06-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are in custody since 23.12.2015 in
connection with a case registered for the offences punishable
under Sections 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that for the same
vehicle another case was also lodged by the Police bearing Akbar
Nagar P.S. Case No. 34 of 2015 dated 26.04.2015 in which the
petitioner was arrested on 26.04.2015 itself. He further submits
that the aforementioned case (Annexure-2) was lodged at 09:00
A.M. on being apprehended at 04:00 in the morning. It is
submitted that the subsequent FIR in which the petitioner is facing
the prosecution is of the same date at 12:30 P.M. which is
improper. He next submits that he has been granted bail with

regard to the earlier case vide order dated 14.12.2015 passed by the A.D.J., Bhagalpur in Bail Application No. 1221 of 2015 (Annexure-4).

Considering the peculiar nature of case, let the petitioner 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 Sessions Judge, Munger, in connection with Kotwali P.S. Case No. 98/2015.

(Anjana Mishra, J)

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