

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50668 of 2015

Arising Out of PS.Case No. -404 Year- 2015 Thana -ARARIA District- ARRARIA
=====

Afaque S/o Jabbar, Resident of Village- Matiyari, P.S.- Jokihat, District-
Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Sanjay Kumar(App)
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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 30-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner, Afaque, is in custody since
18.08.2015 in Araria (Bairgachhi) P.S. Case No. 404 of 2015
under Sections 457 and 380 of the Indian Penal Code.

According to the prosecution case, F.I.R. was lodged
against the petitioner and other accused persons only on suspicion.
Subsequently, some articles were recovered from the possession of
the petitioner i.e. LED TV, Cycle, T.V. remote and cash of Rs.
460/-.

Learned counsel for the petitioner submitted that, in
fact, no T.I.P. has been held till date although the petitioner is in
custody since 18.08.2015 and the alleged articles recovered from
the possession of the petitioner belonged to him.

Considering the nature of allegation and the period of detention and that till today, no T.I.P. has been held to connect the materials with the looted articles, I direct that the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees) with two sureties of the like amount to the satisfaction of the learned C.J.M., Araria in connection with Araria (Bairgachhi) P.S. Case No. 404 of 2015.

(Mungeshwar Sahoo, J)

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