

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1357 of 2016

Arising Out of PS.Case No. -59 Year- 2012 Thana -MUZFFARPUR GRP CASE District-
MUZAFFARPUR

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1. Shahjahan Khatoon wife of Serajul Mian Resident of village - Bara
Sripur Sugauli, P.S. Sugauli, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Madhuranand Jha (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

3 27-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in jail since 01.10.2012 in
a case registered for the offences punishable under sections 328,
379, 411/34 of the IPC and under section 20, 22 of the N.D.P.S.
Act.

The prosecution case is that when the informant was
travelling in a train on 24.09.2012, the petitioner offered some
sweet mixed with some sedative and thereafter took away mobile
and other articles of the informant. The petitioner was
apprehended from Motipur railway station on the identification of
the informant on 28.09.2012 and from the possession of petitioner
the alleged stolen mobile of the informant and 7 Ativan (sedative)

tablets were recovered.

It is submitted by learned counsel for the petitioner that for the occurrence of 24.09.2012 the FIR was lodged on 29.09.2012 which reached to the learned Sessions Judge on 01.10.2012 which reflects the malicious prosecution against the petitioner. Statement has been in paragraph 3 of the petition that the petitioner has no criminal antecedent, which reads as follows:-

“3. That the petitioner has no any criminal antecedent.”

Moreover, the investigation against the petitioner has already been concluded.

Considering the facts aforesaid, let the above named petitioner 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 learned 7th Additional Sessions Judge , Muzaffarpur in connection with Trial No. 64/15, Muzaffarpur Rail P.S. Case No. 59/2012 .

(Dinesh Kumar Singh, J)

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