

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25677 of 2016

Arising out of PS.Case No. -62 Year- 2016 Thana -CHIRAIYA District- EAST
CHAMPARAN(MOTIHARI)

NADIM AKRAM, son of Nasiruddin @ Nasuruddin Sah, resident of
village- Ramchandra Dhaka, P.S.- Dhaka, District East Champaran.
.... Petitioner

Versus

The State of Bihar
.... Opposite Party

Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate.
For the Opposite Party : Mr. Rajballabh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 07.04.2016
in connection with Chiraiya P.S. Case No. 62 of 2016 for the
offences instituted under Sections 387 and 420/34 of the IPC.

The prosecution story, in brief, is that the petitioner
showing him as a Central Team alongwith other co-accused
persons made a demand of Rs. 25,000/- from the Headmaster of
the School having threatening for suspension and sent to jail and
thereafter when the informant came to Petrol Pump, where Rs.
1500/- has been snatched by the petitioner from the informant and
when the police came they have arrested the petitioner and from
his possession the said Rs. 1500/- snatched from the informant and

two Mobiles containing SIM Nos. 7859007473 and 8800613169 which was given to the informant to make a contact for payment of money recovered which were seized as per seizure list.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.04.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. F.I.R. has been instituted after two days of the alleged occurrence. The delay has not been explained by the prosecution. He has been made accused in the present case due to mistake of fact. Nothing incriminating article has been recovered from possession of the petitioner.

On behalf of the State it has been submitted that the petitioner is 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., Sikrahana, East Champaran at Dhaka in connection with Chiraiya P.S. Case No. 62 of 2016.

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(Sudhir Singh, J)