

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50639 of 2016

Arising Out of PS.Case No. -89 Year- 2016 Thana -BAUSI District- PURNIA

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Anwarul Haque Son of Late Mohboob Buksh, Resident of Village- Simalya,
P.S. Baisi, District- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Helal Ahmad, Advocate.

For the Opposite Party : Mr. Ram Sumiran Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 18.06.2016
in connection with Baisi P.S. Case No. 89 of 2016 for the offences
instituted under Sections 413 and 414 of the IPC.

The prosecution story, in brief, is that the informant
recovered a Tempo without number from the house of the
petitioner. On enquiry, he informed the informant that he has
purchased the said Tempo from one Md. Rahid, who is relative of
his close Md. Shahid.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 18.06.2016 and the charge sheet has
been submitted in the present case. There is no allegation of



tampering of the witnesses alleged against the petitioner. He has been made accused in the present case due to mistake of fact. The petitioner is a bonafide purchaser of the said Tempo. He had no knowledge that the said Tempo was stolen property. It is further submitted that the petitioner may be released on bail after completion of nine months in custody from 18.06.2016.

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 after completion of nine months in custody from 18.06.2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Purnea, in connection with Baisi P.S. Case No. 89/2016.

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(Sudhir Singh, J)

