

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51699 of 2016

Arising Out of PS.Case No. -125 Year- 2016 Thana -MUFFASIL District- AURANGABAD

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1. Shahrukh Ansari, S/o Mobarak Ali,
 2. Pramod Kumar, S/o Dhaneshwar Sao, Both are resident of Village-Bundu, P.S.- Keredari, District- Hazaribagh (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar -Advocate

For the Opposite Party/s : Mr. Md. Arif-A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 20-12-2016

Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor.

Posing themselves to be transport officials, the miscreants succeeded in intercepting informant, a driver of truck bearing Registration No.WB-25G-0955 and after hijacking the informant as well as *Khalasi*, the miscreants took away their mobile set, truck laden with goods along with other articles so enlisted therein, whereupon instant case has been registered against unknown. So far these petitioners are concerned, it is evident from Paragraph-59 of the case diary that they were arrested in connection with Danapur P. S. Case no.300 of 2016 wherein, as disclosed by the prosecution, they made inculpatory extra-judicial confessional statement and on the basis thereof, they



have been remanded in this case. It is also evident from Paragraph-83 of the case diary that call details were obtained relating to these two petitioners along with others, but those information did not connect complicity of these petitioners in the background of the fact that neither these call details connect the petitioners in association with other accused, who might have indulged during course of occurrence nor the recovered mobile set been the theft property. Furthermore, as is evident from Paragraph-92 of the case diary, chargesheet had already been submitted, but without having these petitioners put on T. I. Parade that means to say, virtually prosecution lacks with relevant material to connect these two petitioners with the commission of the alleged crime.

Accordingly, petitioners, **Shahrukh Ansari** and **Pramod Kumar** are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Mufassil) P. S. Case no.125 of 2016.

(Aditya Kumar Trivedi, J)

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