

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42354 of 2016

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1. Md. Sonu @ Md. Shafique Son of Md. Khalil Resident of Mohalla- New Islampur, P.S.- Bhuli, Dist- Dhanbad (Jharkhand).
 2. Baban Sahab Son of Late Zakir Hussain Resident of Quazi Mohalla, P.S.- Sherghati, District- Gaya.
 3. Md. Seraj @ Karu Son of Md. Shahabu Resident of Village- Ketaribag, P.S.- Huntarganj, District- Chatra (Jharkhand).

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ashhar Mustafa

For the Opposite Party : Mr. Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek bail in a case instituted under
Section 394 of the Indian Penal Code.

The prosecution case, in brief, is that some unknown
miscreants took away 24 batteries by breaking mobile tower and
two mobile phones from the informant and one from Awdhesh
Kumar. It is also alleged that the miscreants also took away the
motorcycle of the informant.

It has been submitted on behalf of the petitioners that
the petitioners are in custody since 24.06.2016. The charge sheet
has been submitted in the present case. There is no allegation of

tampering of witnesses alleged against the petitioners. The petitioners are not named in the First Information Report. They have not been put on Test Identification Report. There is no recovery of any looted article from the possession of the petitioners, as far as the present case is concerned. Except for confessional statement of co-accused, there is no other material to suggest their implication in the present case.

On behalf of the state, it has been submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad, in connection with Madanpur P.S. Case No. 151 of 2015.

(Sudhir Singh, J.)

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