

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54759 of 2016

Arising Out of PS.Case No. -174 Year- 2016 Thana -JALE District- DARBHANGA

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Asmatullah, Son of late Md. Sameerul, Resident of Village – Pokhar Tola,
Bhairwa, P.S. – Bisti, District – Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kashyap

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

This is an application for grant of regular bail for
offences punishable under Sections 461, 379 and 411 of the Indian
Penal Code.

It has been submitted on behalf of the petitioner that the
petitioner has not been named in the First Information Report. The
petitioner's name surfaced in this case only on the basis of
confessional statement made by co-accused of this case and the
petitioner has been languishing in judicial custody for more than
three months.

Heard learned A.P.P. also.

Having heard both sides, it appears from the perusal of
the impugned order that there is recovery of stolen articles from



the house of the petitioner. It further appears that the learned Court below has already granted the petitioner an opportunity to move his prayer for bail after submission of charge-sheet.

Considering the facts as stated in the impugned order, this application is disposed of with direction to the petitioner to move his prayer for bail after submission of charge-sheet and the learned Court below after examining the fact that as to whether the petitioner has been put on Test Identification Parade or the articles recovered has been Put on Test Identification Parade or not, shall pass an appropriate order in accordance with law.

(Vinod Kumar Sinha, J)

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