

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7001 of 2016

Arising Out of PS.Case No. -274 Year- 2015 Thana -BANMANKHI District- PURNIA

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Md. Ajmat Arsi @ Md. Ajmat Arshi @ Ajmat Arsi Son of Md. Shamim
Anjum Resident of Village - Khanwan, P.S. Dhamdaha, District Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ataul Haque

For the Opposite Party/s : Mr. Md. Sufiyan(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 12-04-2016 Heard Sri Ataul Haque, learned counsel for the

petitioner and Mr. Md. Sufiyan, learned AP.P.

The petitioner , who is in custody since 26th December
2015 in connection with Banmankhi P.S. Case No. 274 of 2015
registered for the offence punishable under section 392 of the
Indian Penal Code has prayed for grant of bail.

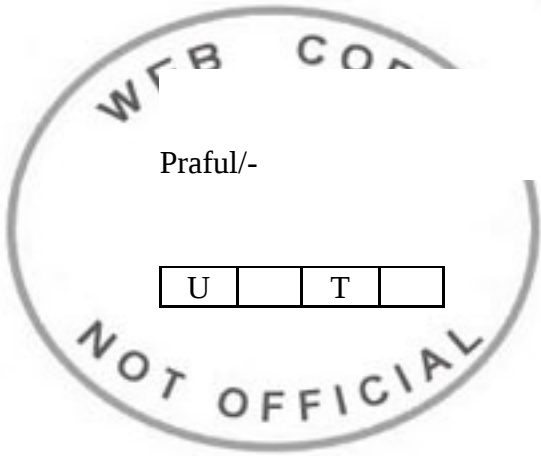
It was submitted by learned counsel for the petitioner
that F.I.R. was lodged against unknown. However, during
investigation on the basis of confession of one of the co-accused
with whom petitioner was having inimical terms, the petitioner
was made accused in the present case. He submits that the
informant has categorically stated that if accused persons are
produced, he can identify, whereas even though petitioner is in

custody since 26th December 2015 the petitioner was never put on test identification parade nor any looted article has been recovered from the possession of the petitioner.

Learned A.P.P. after going through case diary accepts that the petitioner was not put on T.I. parade nor any recovery was affected. However, he submits that mobile call details shows that petitioner was in touch with the accused who was arrested and confessed regarding the involvement of the petitioner.

Keeping in view the fact that no recovery has been affected, clean antecedent of the petitioner as mentioned in paragraph no. 3 of the petition as well as the fact that petitioner was not put on T.I. parade, let the petitioner Md. Ajmat Arsi @ Md. Ajmat Arshi @ Ajmat Arsi be enlarged on bail on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri G.K. Yadav, learned Judicial Magistrate 1st Class, Purnea / concerned court in connection with Banmankhi P.S. Case No. 274 of 2015 on a condition that one of the bailors must be blood relation of the petitioner and secondly during the trial the petitioner shall remain physically present on each and every date. If continuously on two dates the petitioner without prior permission of the trial court

remains absent, his bail bond shall stand automatically cancelled.



Praful/-

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(Rakesh Kumar, J)