

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12358 of 2016

Arising Out of PS.Case No. -173 Year- 2003 Thana -FORBESGANJ District- ARRARIA

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Kalim, son of late Punjab Ali, resident of village- Dholbajja, P.S.-
Forbesganj, District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. A.M.P.Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 18-03-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under
Sections 395 and 397 of the Indian Penal Code.

Petitioner is not named in the first information report,
which was lodged in the year 2003, but it appears from perusal of
the impugned order as well as paragraph-12 of the petition that the
name of petitioner came in this case during course of investigation
and subsequently, supplementary charge sheet was submitted
against him showing absconder. Furthermore, the impugned order
shows that cognizance was taken on 4.2.2013 and after that
process was issued and on the strength of process issued against
the petitioner, petitioner was arrested and remanded in the present
case.

Learned counsel for the petitioner submits that petitioner was not aware of institution of the present case and as a matter of fact, he learnt about the present case when he was arrested by the police on the strength of process issued against him. It is further submitted that petitioner does not have any criminal antecedent and is languishing in jail custody since 17.1.2016.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, Araria in connection with Forbesganj (Simraha) P.S. Case No.173 of 2003.

(Hemant Kumar Srivastava, J)

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