

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51923 of 2016

Arising Out of PS.Case No. -132 Year- 2016 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

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Mahtab Alam S/o Mumtaz Alam, R/o village - Ganga Sirisiya, P.S.
Chakiya, District - East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
22.07.2016 in connection with Kalyanpur P.S. Case No. 132 of
2016 registered for the offence punishable under Sections 457 and
380 of the Indian Penal Code.

The prosecution case, as lodged by the informant
against unknown, is that theft occurred in his shop.

It has been submitted by the learned counsel for the
petitioner that he is innocent, has no criminal history and that he
has been made accused only on the basis of suspicion. It has
further been submitted that nothing has been recovered from his
conscious possession, as is evident from the seizure-list and it is



only on having been apprehended by the police that the self-confessional statement has been made before the police. It has further been submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Be that as it may, since petitioner has no criminal history and charge-sheet has already been submitted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-9, Motihari, East Champaran in connection with Kalyanpur P.S. Case No. 132 of 2016.

(Nilu Agrawal, J.)

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