

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43070 of 2016

Arising Out of PS.Case No. -214 Year- 2015 Thana -KORHA District- KATIHAR

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Mozibur Rahman @ Loto @ Mazbur Rahman Son of Abdul Salam, resident
of Village Durgapur, P.S. Barari, District- Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 19-12-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner is languishing in custody since 17.08.2016 in connection with Korha P.S. Case No. 214 of 2015 for offences punishable under Sections 399,402,395,307/34 of the Indian Penal Code, Sections 25(1-B)a/26/35 of the Arms Act and ¾ of Explosive Substance Act.

The petitioner is co-villager of the informant. The allegation is that three persons intercepted the informant on the road and committed assault and snatched Rs. 30,000/- from the pocket of the informant as well as his mobile phone. Only the petitioner was identified.

Submission is that in fact the petitioner is co-village and due



to some trivial dispute between the parties, the petitioner was wrongly named in the FIR. Subsequently the informant had filed a petition stating that the petitioner was not present at the time of occurrence and he had not disclosed the name of the petitioner before the police. It appears that some other co-accused have already been allowed bail by a coordinate Bench of this Court in Cr. Misc. No. 12061 of 2016 on 02.05.2016. The petitioner is in custody since 17.08.2012.

Considering the aforesaid, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar /Successor Court, in connection with Korha P.S. Case No. 214 of 2015 of 2015.

(Birendra Kumar, J)

Prakash/-

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