

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36521 of 2016

Arising Out of PS.Case No. -22 Year- 2014 Thana -BAHADURGANJ District- KISANGANJ

Niyamat, Son of Md. Nazmul Hussain, Resident of village - Ghuski Tola,
P.S. Baisi, District - Purnea

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Amit Kumar Anand, Advocate.

For the Opposite Party : Mr. Ajay Kumar Jha, APP.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

7 28-11-2016 Heard both sides.

The petitioner apprehends his arrest in Bahadurganj
P.S. Case No. 22 of 2014 registered for the offences punishable
under Sections 395 and 397 of the Indian Penal Code.

The petitioner is not named in the FIR but during course
of investigation it has come that on the looted mobile a SIM was
used and the SIM was issued in the name of Neyamat, son of
Sarif. The petitioner was using the SIM in the looted mobile.

Learned counsel for the petitioner submits that the
petitioner is Niyamat, son of Md. Nazmul Hussain. The house of
the petitioner was searched from where some ornaments were
recovered but the ornaments were put on test identification parade
and the informant did not identify the ornaments but from perusal
of paragraph-87 of the case diary, it appears that police found that

Neyamat, son of Sarif was residing in Delhi and it was the petitioner who was using the SIM issued in the name of Neyamat, son of Sarif in the looted mobile.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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