

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26617 of 2016

Arising Out of PS.Case No. -498 Year- 2015 Thana -MADHUBANI TOWN District-
MADHUBANI

=====

Md. Sahzad Sah @ Md. Sahzad @ Sahzad Sah, Son of Md. Faruk Sah, R/o
Malhani P.S. Kothi (Immamganj), Distt- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Vikramdeo Singh, Advocate
For the State : Mr. Manish Kumar 2, A.P.P.

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 14-07-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in a case registered under
Sections 379, 419, 120 (B) and 34 of the Indian Penal Code and
Section 66 (A) of the I.T. Act.

It is contended that petitioner has not been named in the
first information report as he has been made accused on the basis
of suspicion. It is further contended that though allegation against
the petitioner is that about 7 ATM cards in the name of different
persons were recovered from his possession but there is no
allegation that he has drawn money also either from the account of
the informant or from any other person.

Per contra, learned counsel for the State submits that the petitioner has stated in paragraph no.3 that he has no criminal antecedent but petitioner is also having one criminal antecedent.

Be that as it may, though it is correct that the petitioner has stated in paragraph no.3 that he has no criminal antecedent but before the matter is taken up, he has filed supplementary affidavit accepting this mistake and stating that he is involved in another case in Hyderabad.

It is further contended on behalf of the petitioner that he has remained in custody for about 6 months but without any allegation that he has misused any of the ATM cards. That apart, it is also contended that though informant claims that he has seen two persons who helped during the period he was drawing money from the ATM but the petitioner has not been put on Test Identification Parade.

Having regard to the facts and the circumstances of the case, the petitioner, Md. Sahzad Sah @ Md. Sahzad @ Sahzad Sah is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Madhubani in connection with Madhubani Town P.S. Case No.498/2015. Further, if the petitioner, after his release in this

case, is again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of his bail bond.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

U		T	
---	--	---	--