

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20852 of 2016

Arising Out of PS.Case No. -416 Year- 2015 Thana -MADHUBANI TOWN District-
MADHUBANI

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1. Md. Mustafa @ Alian @ Md. Mustufa son of Md. Idrish, Resident of
village- Kotwali Chowk, P.S. + District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. A.L.Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 19-05-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 395, 397 of the Indian Penal
Code, Section 27 of the Arms Act and ¾ of Explosive Substance
Act.

The petitioner is not named in the First
Information Report but in course of investigation, the name of the
petitioner came in this case in the confessional statement of co-
accused Vinod Kumar Sah and thereafter one mobile and some
documents of the informant were recovered from the house of the
petitioner.

Submission on behalf of the petitioner is that the seized mobile belongs to the petitioner and as a matter of fact, no document of informant was recovered from the house of the petitioner and as a matter of fact, the seizure of document has been shown only with intent to implicate the petitioner in the alleged crime. Moreover, co-accused Vinod Kumar Sah has already been granted privilege of bail, whereas the petitioner is in jail custody since 13.10.2015 but up till now, he has not been put on Test Identification Parade.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge, Madhubani in connection with Sessions Trial No. 107 of 2016, arising out of Madhubani Town P.S. Case No. 416 of 2015.

(Hemant Kumar Srivastava, J.)

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