

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13926 of 2016

Arising Out of PS.Case No. -190 Year- 2013 Thana -RAJAUN District- BANKA

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1. Md. Tousif @ Mhd. Taushif @ Fuchu, son of Manowar Ali, resident of Mohalla- Tatarpur, Police Station- Tatarpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf

For the Opposite Party/s : Mr. B.Ram (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 11-05-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence punishable under section 395 of the I.P.C

The First Information Report is against eight unknown miscreants having motorcycle no. BR-10-4019. During investigation the name of the petitioner transpires in the confessional statement of Md. Imtiyaz.

Submission is that the petitioner is in custody since 01.02.2016 but he has not been put on the test identification parade, nothing has been recovered from conscious possession of the petitioner and besides the confessional statement there is no other material against the petitioner.

The learned A.P.P. submits that the petitioner has got criminal antecedent.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Banka in Rajaun P.S. Case No. 190 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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