

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51469 of 2016**

Arising Out of PS.Case No. -228 Year- 2012 Thana -MADHEPURA District- MADHEPURA

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Md. Akramul @ Akram @ Pachuwa, Son of Md. Khalil Resident of  
Hussain Chak, P.S. Simri Bakhtiyarpur, District- Saharsa.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, A.P.P.

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      06-12-2016                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since  
05.08.2016 in connection with Madhepura P.S. Case No. 228 of  
2012 registered for the offence punishable under Section 392 of  
the Indian Penal Code.

The prosecution case, as lodged by the informant, is  
that while he left his house on his Yamaha motorcycle, four  
miscreants stopped him at gun point and took away his  
motorcycle, ATM cards, Rs. 5,000/-, helmet and his mobile phone  
having two SIMs. Accordingly, First Information Report was  
lodged against unknown.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has been falsely implicated. He further submits that the CDR of the mobile, which has been assessed as being the said stolen mobile, is not known to him, as he had purchased the mobile from another person. He further submits that no Test Identification Parade has been conducted so far and petitioner has been made accused only on the basis of suspicion. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner's name surfaced during course of investigation, hence, opposes the prayer for bail.

Be that as it may, since the petitioner has been implicated only on the basis of suspicion, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 228 of 2012.

**(Nilu Agrawal, J.)**

Arjun/-

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