

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6451 of 2017

Arising Out of PS.Case No. -3 Year- 2016 Thana -MUFFASIL District- AURANGABAD

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1. Salman Hussain, son of Jubair, resident of Mohalla/Village- Ghoghra,
P.S.- Risiup, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh 1, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-03-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
11.04.2016 on his remand in connection with Aurangabad
Muffasil P. S. Case No. 3 of 2016 for offences punishable under
Section 392 of the Indian Penal Code.

The prosecution case is that on 04.01.2016 while
returning from Aurangabad to his village the informant along with
Gautam Kumar Gupta and villager Manish Kumar Gupta, all of
sudden a youth came on the way and waived his hand to stop.
Meanwhile two persons wielding pistols snatched cash, mobile
and motorcycle and went away.

It has been submitted by the learned counsel for
the petitioner that he is innocent and has been falsely implicated in
the aforesaid case and remanded in the present case as he is



already an accused in another case bearing Aurangabad (M) P. S. Case No. 19/2016. He further submits that during Test Identification Parade, the petitioner has not been identified by the informant. It is further submitted that trial is going on, hence there is no chance of tampering with the prosecution evidence and another co-accused, who has been implicated in the present case, on similar allegations has since been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 48156 of 2016 on 24.11.2016.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- II, Aurangabad in connection with Aurangabad Muffasil P. S. Case No. 3 of 2016.

(Nilu Agrawal, J)

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