

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12304 of 2017

Arising Out of PS.Case No. -323 Year- 2016 Thana -KADWA District- KATI HAR
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1. Md. Afzal Son of Md. Usman, Resident of Village-Rupauli, P.S. Rupauli,
District-Purnea.

.... 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. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 30-03-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is in custody since 30.12.2016 in connection
with Kadwa (Baliya Belon) P.S. Case No. 323 of 2016 registered under
Sections 272, 273 and 414 of the Indian Penal Code and Section 30(a) of
the Bihar Excise Act.

Learned counsel for the petitioner has submitted that the
petitioner, who is of clean antecedent, is innocent and has not
committed any offence. In fact, the petitioner being the car driver was
hired on the day of alleged occurrence by one Saddam, who is said to
be a business man of Gulab Bagh and the alleged recovery, which was
made from the dickey of the car, was of said Saddam. Nothing has been
recovered from the conscious possession of the petitioner. The
petitioner is in custody for the last three months.



Considering the nature of accusation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, Katihar in connection with Kadwa (Baliya Belon) P.S. Case No. 323 of 2016.

(Arvind Srivastava, J)

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