

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23692 of 2017

Arising Out of PS.Case No. -45 Year- 2016 Thana -EAST COLONY District- MUNGER

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Md. Ajmal Kuraishi @ Malla, Son of Shahebjhan Kuraishi, resident of Mohalla- Sadar Bazar, Tip- Top Gali, Near Natraj Press, P.O. and P.S.- Jamalpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambrish Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-05-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in East Colony P.S. Case 45 of 2016 instituted for the offence under Sections 457 and 380 of the Indian Penal Code.

Petitioner is not named in the written report. There is allegation in the written report that theft has been committed in the quarter of the informant. The informant has stated that one Samsung Mobile with two SIMs have been stolen as mentioned in the written report.

The Sessions Judge has mentioned in the impugned order that in paragraph-40 of the case diary it is mentioned that CDRs of the SIM used by the miscreants by way of inserting them in the stolen Mobile, one of the SIM belongs to Sahebjhan



Kuraishi, who happens to be the father of the petitioner, but admittedly, no Test Identification Parade has been done, as it appears from the order of the learned Sessions Judge.

It is mentioned in paragraph-3 of the bail petitioner that petitioner has clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, 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 learned Additional Chief Judicial Magistrate-IV, Munger, in connection with East Colony P.S. Case No. 45 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

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(Sanjay Priya, J)

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