

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26854 of 2017

Arising Out of PS.Case No. -881 Year- 2016 Thana -ARARIA District- ARRARIA

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1. Tasbul, S/o Bokai @ Bhola, resident of Village Belwa, P.S. Araria, R.S. District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s: Mr. Satyadev Prasad Singh Yadav, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-07-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 23.04.2017 in a case registered for offences punishable under Sections 414/34 of the Indian Penal Code.

The prosecution case as lodged by the police personnel is that on a secret tip off that some persons have assembled in the house of Md. Aslam @ Aslam and distributing the stolen articles amongst them, the police conducted a raid in which some persons including the petitioner managed to escape and two persons were arrested on the spot and some theft articles were recovered. The arrested persons named the petitioner and other accused.

It has been submitted by the learned counsel for the



petitioner that it is only on the basis of concessional statement of co-accused, Shakir Alam that the name of the petitioner surfaced. He submits that nothing has been recovered from his conscious possession and that charge sheet has already been submitted hence there is no chance of tampering with the prosecution evidence. He further submits that arrested co-accused Shakir Alam @ Md. Shakir Alam and Md. Aslam @ Aslam have already been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 13970 of 2017 on 18.04.2017 and Cr. Misc. No. 13281 of 2017 on 02.05.2017.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria R.S.P.S. Case No. 881 of 2016.

(Nilu Agrawal, J)

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