

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26855 of 2017

Arising Out of PS.Case No. -116 Year- 2003 Thana -UCHAKAGAON District- GOPALGANJ

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1. Aash Mohammad, Son of Chand Mohammad, Resident of Village-
Chhap, P.S. Mirganj, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Sanjay Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-07-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
19.02.2017 in connection with Uchakagaon P.S. Case No.
116/2003 for offences punishable under Section 394 of the Indian
Penal Code.

The prosecution case, as lodged by the informant,
is that four miscreants on two motorcycles overtook his
motorcycle and fled away snatching his motorcycle.

It has been submitted by the learned counsel for
the petitioner that he is innocent, not named in the First
Information Report and that no Test Identification Parade has been
done so far. He submits that he had no knowledge of the aforesaid



case, hence, he did not appear before the learned court below. He lives in Surat and when he came in Holi festival he has been arrested by the police. It is submitted that one of the co-accused has already been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 42882 of 2010 on 5.01.2011 and that nothing has been recovered from his possession.

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 Chief Judicial Magistrate, Gopalganj, in connection with Uchakagaon P.S. Case No. 116/03, subject to the condition that the petitioner will appear before the learned court below during trial as and when required and failure to appear on three consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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