

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28924 of 2017

Arising Out of PS.Case No. -155 Year- 2016 Thana -BABUBARHI District- MADHUBANI

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Md. Heera Son of Lal Mohammad, Resident of village- Hassanpur, P.S.-
Phulparass, District- Madhubani. Petitioner.

Versus

The State of Bihar Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 03-07-2017

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner seeks regular bail in connection with
Babubarhi P.S. Case No.155 of 2016 registered for the alleged
offences under Sections 379 and 411 of the Indian Penal Code.

As per the prosecution case, petitioner along with two
other accused persons are said to have stolen away the motorcycle
of the informant from his house. The petitioner was apprehended
by the police and the two other accused persons managed to
escape.

It has been submitted by learned counsel for the
petitioner that no incriminating article has been recovered from the
conscious physical possession of the petitioner. In fact, the
petitioner had gone to his relative and when he was regressing
from there he was apprehended by the police on the way merely



on suspicion. The allegations levelled against the petitioner are general and omnibus in nature. One criminal case under Section 379 IPC was initiated against him in which he has been acquitted. He has been languishing in jail custody since 18.09.2016.

In the facts and circumstances of the case, the petitioner above named is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-2nd, Madhubani in connection with Babubarhi P.S. Case No.155 of 2016.

(Prakash Chandra Jaiswal, J.)

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