

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51769 of 2017

Arising Out of PS.Case No. -71 Year- 2017 Thana -PAHARKATTA District- KISANGANJ

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Md. Tajemul Hussain @ Md. Tajemul, Son of Hanif, Resident of Village-
Lukudra, Police Station Paharkatta, District Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Firoz Ahmad

For the Opposite Party/s : Mr. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 04-12-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with
Paharkatta P.S. Case No. 71 of 2017 dated 22.07.2017 instituted
for the offences under Sections 379, 414 and 34 of the Indian
Penal Code.

The informant received information that about six
persons riding an auto have been apprehended by the villagers and
from their possession materials meant for cutting electric wire has
been recovered. When the informant arrived at the place of
occurrence, other accused persons had fled away, but only the
petitioner was present. On the statement of the petitioner, the
aforesaid FIR was lodged against other persons who have been
named by him.



Learned counsel for the petitioner has submitted that the petitioner has been arrested on mistaken identity. He is a mechanic and is not at all involved in cutting electric wire. The statement which has been given by him before the police is only an imagination of the local police.

The petitioner is in custody since 22.07.2017.

Regard being had to the fact that the petitioner does not have any criminal antecedent and is in custody since 22.07.2017, this Court is inclined to grant bail to the petitioner.

In the facts and circumstances, the petitioner above named is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Kishanganj in connection with Paharkatta P.S. Case No. 71 of 2017.

(Ashutosh Kumar, J)

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