

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56574 of 2017

Arising Out of PS.Case No. -362 Year- 2017 Thana -BARAUNI District- BEGUSARAI

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Md. Amjad S/o Md. Kuddus, R/o Village- Sahebpur Kamal, P.S.- Sahebpur Kamal, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in connection with Barauni (Refinery) P.S. Case No. 362 of 2017, registered for the offences punishable under Sections 379, 411, 413, 414 and 34 of the Indian Penal Code.

The petitioner is not named in the FIR and the allegation is that two drums of stolen milk were recovered from the Magic Van of the petitioner.

It has been submitted on behalf of petitioner that the petitioner has not been arrested on the spot and so far recovery is concerned he has falsely been implicated. The petitioner is driver of the Magic Van and he is in custody for two months having no criminal antecedent.



Heard learned APP also.

Having heard both sides, considering the facts and circumstances of the case and nature of allegation, this Court is not inclined to grant bail to the above named petitioner at this stage. Accordingly, the prayer for bail is rejected.

However, once charge has been framed, the learned trial court shall release him on bail to his own satisfaction on his undertaking that he will appear before the court as and when required by the court otherwise his bail bonds will be cancelled.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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