

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2436 of 2017

Arising Out of PS.Case No. -314 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Md. Izhar, son of Late Md. Mazid @ Md. Mojid, resident of Chhoti
Railway Line, P.S. - Tilkamanjhi, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 15-02-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Kotwali (Barari)
P.S. Case No.314 of 2016/G.R. No.2288 of 2016 registered under
Sections 457 and 380 of the Indian Penal Code.

The accusation is that after lodging of the F.I.R in the present
case by the informant, the police reached at the place of occurrence for
verification but no incriminating article was recovered by the
Investigating Officer from there. Later on, the informant produced a
mobile set and one voter I-Card to the Investigating Officer. It is said
that in the mobile set, the SIM was in the name of the petitioner.

Learned counsel appearing on behalf of the petitioner submits
that, in fact, the mobile set of which SIM is said to be in the name of



this petitioner was produced by the informant to the Investigating Officer, after inspection of the place of the occurrence by the Investigating Officer, showing that the same was found at the place of the occurrence. The petitioner is in custody since 18.08.2016, in the present case. Further submission is that while the petitioner is accused in three other cases, as detailed in paragraph-3 to this application, but in all three cases, the petitioner is not named in the F.I.R. and he is on bail in all the three cases.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur, in connection with Kotwali (Barari) P.S. Case No.314 of 2016/G.R. No.2288 of 2016 . Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner.

(Rajendra Kumar Mishra, J)

P.S./-

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