

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10695 of 2017

Arising Out of PS.Case No. -390 Year- 2016 Thana -MADHUBANI TOWN District-
MADHUBANI

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Md. Phul Hassan @ Ful Hasan, Son of Phazlu Rahman, resident of Village -
Gidarganj, P.S. - Andhrathadhi, District - Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Smt. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-03-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
16.11.2016 in connection with Madhubani Town P.S. Case No.
390/16 registered for the offence punishable under Sections
414/34 of the Indian Penal Code.

The prosecution case is that the police on a secret tip
off apprehended the petitioner, who confessed that the motorcycle
was stolen one, which he purchased from another co-accused Md.
Minhaz. When accused Md. Minhaz was apprehended he named
certain other persons including Md. Jahir and Md. Nihal and in
turn they named other accused persons.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal antecedent and has falsely been implicated in the aforesaid case. It is further submitted that the charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence and that one of the co-accused, namely, Md. Jahir @ Chand has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 8969 of 2017 on 27.02.2017.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani, in connection with Madhubani Town P.S. Case No. 390/16.

(Nilu Agrawal, J)

Rajesh/-

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