

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39506 of 2017

Arising Out of PS.Case No. -121 Year- 2017 Thana -PANCHRUKHI District- SIWAN

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Hashmat Miyan @ Hasmat Miyan, son of Sahebjan Miyan, resident of
village-Falpura, P.S. Pachrukhi, District Siwan.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Ram Sandesh Roy, Adv.

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

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

02 19-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Pachrukhi P.S. Case No.
121 of 2017 registered under Sections 420, 467, 468, 471, 413,
414 & 379/34 of the Indian Penal Code.

As per the prosecution case, two motorcycles are
said to have been recovered and seized from the house of accused
Imtiyaj Alam and four accused persons including the petitioner
were arrested in connection with the said occurrence.

It is submitted by learned counsel for the petitioner
that nothing incriminating article has been recovered from the
conscious physical possession of the petitioner rather the stolen
motorcycles were recovered from the house of Imtiyaj Alam.
There is nothing in the case diary indicating the complicity of the



petitioner in the occurrence barring the confessional statement of accused Imtiyaj Alam in which he has stated that Sunil Paswan had stolen one of the motorcycle & had sold it one Rinku with the help of the petitioner and he has purchased the same from Rinku. The petitioner has no criminal antecedent. He has been languishing in custody since 14.06.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 learned A.C.J.M. VI, Siwan in connection with Pachrukhi P.S. Case No.121 of 2017.

(Prakash Chandra Jaiswal, J)

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