

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47793 of 2017

Arising Out of PS.Case No. -133 Year- 2017 Thana -JOKIHAT District- ARRARIA

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Mustajir @ Gaziya @ Gajni, Son of Wajbul, Resident of Village- Laliya,
Police Station- Jokihat, District- Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 16.05.2017 in connection with Jokihat P.S. Case No. 133 of 2017 for the offences alleged under Sections 461, 379/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated. It is further submitted that Dynamo which has been recovered from the possession of the petitioner was not stolen. Similarly situated co-accused Ajhar and Abdul Quaiyum @ Quaiyum have been granted bail by this Court in Cr. Misc. No. 33684 of 2017 and Cr. Misc. No. 31204 of 2017 respectively.

4. A perusal of the petition discloses that a Dynamo has been recovered from the possession of the petitioner and the petitioner has criminal antecedents being accused in two other



cases under Section 395 of the Indian Penal Code and Section 392 of the Indian Penal Code. The other co-accused Ajhar and Abdul Quaiyum @ Quaiyum have been granted bail on the consideration that no recovery has been made from them and they did not have any criminal antecedents.

5. Having regard to the nature of the accusations and gravity of the offence alleged, this Court is not inclined to grant the privilege of bail to the petitioner. The bail petition stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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