

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51085 of 2017

Arising Out of PS.Case No. -140 Year- 2017 Thana -POTHIYA District- KISANGANJ

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1. Sajjad Hussain Son of Muzammil Resident of Village-Panji Para P.S.
Guwalpokhar District Uttar Dinapur (W.B.)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Binod Kumar 3

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
26.07.2017 in connection with Pothia P.S. Case No. 140 of 2017
for offences punishable under Sections 413, 414, 379, 411 of the
Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that on secret information that some stolen wire is
being transported in a pick-up van and taken to West Bengal, the
police intercepted the pick-up van and the petitioner, who was the
driver of the van, along with others were apprehended and huge
quantity of stolen wire was recovered.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that petitioner was just the driver of the pick-up van and he did not know that the wire carried was the stolen one. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Pothia P.S. Case No. 140 of 2017, subject to the condition that both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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