

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42813 of 2017

Arising Out of PS.Case No. -190 Year- 2017 Thana -SAHEBPUR KAMAL District- BEGUSARAI

=====

Abdul Imam, S/o Abdul Rauf, Resident of Village- Chak Mikhi, P.S.-
Maniyari, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Jyotsna Rani Mishra, Advocate.

For the Opposite Party : Mr. Jagdhar Prasad, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
13.07.2017 in a case for the offence registered under Section 395
and 328 of the IPC.

The prosecution story, in brief, is that six persons
overtook the truck of the informant and forcibly administered
intoxicated medicine to the informant being the driver and others
and took out Rs. 25,400/- from his pocket and golden chakti from
the neck.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case due to mistake of fact. The petitioner is not named in the FIR. He has been made accused in the present case on the basis of confessional statement of co-accused Sanjeev Kumar Sah. Except the confessional statement, there is no other substantive evidence to suggest his implication in the present case. There is no recovery of any incriminating article from his possession.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R. His name has come in course of investigation.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. V, Begusarai in connection with Sahebpur Kamal P.S. Case No. 190/2017.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)