

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15554 of 2017

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Md. Wali, son of Md. Jahir, resident of Village Bari Bazar, P.S. Kotwali,
District- Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arvind Kumar Singh, Advocate.

For the Opposite Party : Mr. Asharaf Ansari, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 01-05-2017 Heard both sides.

The petitioner apprehends his arrest in Kotwali P.S.
Case No. 179 of 2016 registered for the offences punishable under
Sections 411, 413, 414 and 401 of the Indian Penal Code.

The informant after receiving secret information
searched the place near the railway crossing no. 5. After some
time, four persons on two motorcycles came but seeing the police,
the accused persons started fleeing away. Two persons were
apprehended and two persons managed to flee away. The
apprehended accused disclosed their names as Kumar Sanu @
Chhotu and Md. Dilshad. On the basis of the disclosure made by
the apprehended accused, different places were raided and
searched and, the stolen motorcycles were recovered. It is further
alleged that the apprehended accused disclosed the name of Md.



Ajam, Md. Arbaj, Md. Shefal, Md. Naushad, Md. Wali, the petitioner, Vijay Das, Md. Jafar, Md. Sonu and Md. Saddam.

Learned counsel for the petitioner submits that no stolen article has been recovered from the possession of the petitioner. Save and except this fact that the apprehended accused disclosed the name of the petitioner, there is no other material to show that the petitioner ever committed any theft or any theft article was recovered from the possession of the petitioner. It is further submitted that Md. Sonu and Md. Jafar have been granted bail vide order passed in Cr. Misc. No. 9615 of 2017 and Cr. Misc. No. 47690 of 2016. The case of the petitioner stands on the same footing but, the petitioner has got criminal antecedent as stated in paragraph-3 of the application.

Considering the facts aforesaid and the fact that the petitioner has got criminal antecedent but, similarly situated co-accused namely Md. Sonu and Md. Jafar have been granted bail, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 the Chief Judicial Magistrate, Munger in Kotwali



P.S. Case No. 179 of 2016, Subject to the conditions as laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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