

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3334 of 2017**

Arising Out of PS.Case No. -10 Year- 2016 Thana -MEHUS District- SEKHPURA

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Md. Naushad Khan @ Md. Naushad, son of Mansoor Khan, resident of  
Mohalla- Bighapar, Ward No.2, P.S. + District- Sheikhpura.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate

For the Opposite Party/s : Mr. Sri Ajit Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

2      28-01-2017                      Heard learned counsels for the petitioner and the  
  
State.

2. The petitioner is in custody since 24.08.2016 in  
a case registered for the offences punishable under sections 379,  
411 of the Indian Penal Code and 25 of the Antiquities and art  
Treasurer Act, 1972.

3. The accusation is of committing theft of the  
statute of Lord Rama, Laxman, Sita and Ramlala, from the  
Ramjanki Temple (Thakurbari) after breaking the lock in the  
night.

4. It is submitted by learned counsel for the  
petitioner that the petitioner is not named in the First Information  
Report. Moreover, the FIR was registered against the unknown.  
The name of the petitioner has been surfaced in the present case



on the confessional statement of co-accused Ram Balak Singh before the police to the effect that the petitioner came to the accused persons as a purchaser of the theft statute, but due to inadequate price offered by the petitioner, the statute could not be sold to him. There is no recovery from the possession of the petitioner. Except the confessional statement of the co-accused there is nothing against the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. Moreover, the co-accused Ram Balak Singh, on whose confessional statement the petitioner has been dragged in the present case, has been granted bail by a co-ordinate Bench of this Court vide order dated 20.01.2017 passed in Criminal Miscellaneous No.1915 of 2017.

5. Considering the aforesaid facts and period of custody, let the above named petitioner be released 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 Judicial Magistrate, 1st Class, Sheikhpura, in connection with Mehus P.S. Case No.10/2016.

**(Arvind Srivastava, J)**

Ranjan/-  

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