

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5520 of 2017

Arising Out of PS.Case No. -123 Year- 2016 Thana -BUXAR RAIL P.S. District- BHOJPUR

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Firoj Hasami, Son of Md. Ekbal Hasami, resident of Dawan, P.S. Jagdishpur, District- Bhojpur at Ara.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

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

For the Opposite Party : Mr. Madhuranand Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-02-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 30.11.2016 in connection with Buxar Rail P.S. Case No. 123 of 2016 for the offences instituted under Section 414 of the IPC.

The prosecution story, in brief, is that on search made by the police at Raghunathpur Railway Station, 05 Mobile sets and cash of Rs. 3997/- were recovered from possession of the petitioner.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.11.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has



got no criminal antecedent. The petitioner has been made accused in the present case due to mistake of fact. Two mobile sets out of recovered mobiles, belong to the petitioner. With the rest, he has got no concern.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned Railway Judicial Magistrate, Ara, in connection with Buxar Rail P.S. Case No. 123 of 2016.

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(Sudhir Singh, J)

