

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.496 of 2017**

Arising Out of PS.Case No. -193 Year- 2013 Thana -NARPATGANJ District- ARRARIA

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1. REHAN @ TOUSIF AHMAD @REHAN ALAM, son of Md. Iftikhar Ahmad, Resident of Village - Bijlipur, Police Station - Bhagwanpur, District - Vaishali.

.... .... Petitioner/s

Versus

1. The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Birendra Kumar Sinha, Sr.Advocate  
Mr. Virendra Kumar, Advocate  
For the respondent : Mr. Iftekhhar Mahmood, A.P.P.

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      16-01-2017                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner is languishing in jail since 06.12.2016 in Narpatganj P. S. Case No. 193 of 2013 (G.R. No. 1536 of 2013) for offences punishable under Section 395 of the Indian Penal Code and later on section 412 of the I.P.C. has been added.

The prosecution case as lodged by the informant, who is driver of the Tata Sumo Gold vehicle, is that the petitioner along with other four co-accused persons hired the vehicle and went to Jogbani from Forbesganj where they left the said vehicle and went to Biratnagar (Nepal) and at the time of returning from Biratnagar, they told the informant to go to Narpatganj and in the way, they looted the vehicle and taken away two mobile phones and the



petitioner inflicted knife blow on the head of the informant.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He was not sent up for trial but during course of trial of three other accused persons in Sessions Trial No. 185 of 2014 they have been acquitted. The matter was investigated and supplementary charge sheet has been submitted implicating the petitioner. He however, submits that no overt act has been committed by him as he has gone to attend the call of nature and charge sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However learned A.P.P. for the State submits that the petitioner is named in the F.I.R., hence, opposes the prayer for bail.

Considering the facts and circumstance of the case, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj P.S.Case No. 193 of 2013 (G.R. No. 1536 of 2013).

**(Nilu Agrawal, J)**

Sudha/-

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