

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27435 of 2017

Arising Out of PS.Case No. -85 Year- 2017 Thana -NARPATGANJ District- ARRARIA

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Md. Iliyas S/o Samid Mian, Resident of Village- Nathpur, P.S. Narpatganj,
District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha

For the Opposite Party/s : Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody in connection with
Narpatganj P.S. Case No. 85 of 2017, G.R. No. 640 of 2017 for
the offences punishable under sections 147, 148, 149, 341, 323,
342, 324, 325, 307, 332, 333, 353, 426, 452, 379, 224, 225, 337,
338, 504 and 506 of the Indian Penal Code.

The case was registered at the instance of one Amit
Kumar, Sub-Inspector of Police and S.H.O., Narpatganj Police
Station.

From perusal of the FIR it appears that approximately
80 miscreants named in the FIR along with 200 unknown persons,
have been made accused in this case. It appears that one stolen



motor cycle was recovered from the house of the petitioner and one Md. Samim.

Learned counsel for the petitioner submits that one motor cycle was recovered from the house of two persons named in the FIR. There is no specific allegation that it was recovered from the house of the petitioner and from his conscious possession.

Large number of persons have been named in the instant case and this petitioner has been made accused allegedly on the ground that motor cycle was recovered from his house and one Md. Samim and the petitioner is in custody since 21.3.2017.

Having regard to the fact that there is no specific reference in the FIR that the stolen motor cycle was recovered from the house of the petitioner and from his conscious possession nor there is any clarification that Md. Samim and the petitioner reside in the same house, I am inclined to enlarge the petitioner on bail.

Let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria or Successor Court in connection with Narpatganj P.S. Case No. 85 of 2017, G.R. No. 640 of 2017, subject to the



condition that the petitioner will extend full cooperation in conclusion of the trial and he will not, in any manner, tamper with the evidence and influence the witnesses.

(Anil Kumar Upadhyay, J)

Mahesh/-

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