

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52815 of 2018

Arising Out of PS. Case No.-133 Year-2018 Thana- KATIHAR MUFFASIL District- Katihar

Md. Saddam Hussain @ Saddam, Son of Zakir Hussain, Resident of Mohalla-Sharifganj, Police Station- Katihar Sadar, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Rahmatullah

For the Opposite Party/s : Mr. Aditya Narayan Singh 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 379/34 of the Indian Penal Code.

The prosecution case, in short, is that on 1.6.2018 the motorcycle of the informant was found missing while he returned after performing Nawaj. In course of search the informant came to know that the accused persons committed theft of motorcycle.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired merely on the basis of suspicion. Except for this, there is no other substantive evidence



to suggest the implication of the petitioner in the present case. There is no recovery of any incriminating article from the possession of the petitioner. In course of investigation, it has come that the petitioner was seen roaming around by the side of the motorcycle in question.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sri D. Singh, Judicial Magistrate, 1sst class, Katihar in connection with Katihar Mufassil P.S. case No.133 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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