

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61937 of 2017

Arising Out of PS. Case No.-272 Year-2015 Thana- CHHATAPUR District- Supaul

Md. Hasbul @ Hasbul, Son of Abdeul Majjid, Resident of Village- Mohanpur
Kathara, Police Station- Chhatapur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. SHAILENDRA KUMAR -1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-01-2018 Heard learned counsels for the petitioners and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 392 of the IPC.

The prosecution case is that on 13.12.2015, four unknown miscreants came on a motorcycle and robbed the informant and others leading to registration of the FIR against unknown persons, when the informant claimed to identify the miscreants. During investigation, robbed mobile was recovered from co-accused Md. Jamil. Subsequently, Md. Jamil in his confessional statement named the petitioner. The petitioner's name also sprang up in the confession of co-accused Nijam and Pramod Chaudhari. During investigation, the tower location of the mobile of the petitioner was found near the place of occurrence.

It is submitted by learned counsel for the petitioner that



only on suspicion, the petitioner has been roped in the present case. Co-accused Md. Jamil, from whose possession, robbed mobile was recovered, has not been identified during T.I. Parade, since the informant declined to participate in T.I. parade. Hence, the petitioner has been sought to be implicated on the basis of confession of co-accused persons, whose implications have not been established due to non-conduction of T.I. parade. So far as tower location of the mobile of the petitioner is concerned, there is nothing on record to suggest that the petitioner talked to any of the accused, on whose confession, his name sprang up during investigation. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Considering the fact that no recovery has been made from the possession of the petitioner, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-II, Supaul, in connection with Chhatapur P.S. Case No. 272 of 2015, subject to the condition as laid down under Section 438(2)



of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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