

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47889 of 2018

Arising Out of PS.Case No. -365 Year- 2017 Thana -GAYA RAIL P.S. District- GAYA

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1. Md. ZIshan Khan @ Md. Jishan Khan, S/o Md. Shoaib Khan @ Saheb Khan @ Suhel Khan, Resident of Village- Murarpur Kathokartab, P.S.- Kotwali, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-09-2018 A supplementary affidavit has been filed on behalf of the petitioner. Let it be kept on record.

Learned counsel for the petitioner is permitted to make necessary correction at paragraph-3 of the main application in course of the day.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections- 379, 411, 414 of the Indian Penal Code.

Allegation against the petitioner is that two mobiles, two chargers and Rs. 2400/- cash were recovered from possession of the petitioner.

It has been submitted on behalf of the petitioner that the



petitioner is in custody since 11-12-2017 and there is no allegation of tampering of witnesses alleged against the petitioner. Charge sheet has already been submitted in this case. The petitioner has been made accused in this case due to mistake of fact. The allegation made in the FIR is denied by the petitioner. The petitioner has remained in custody for more than 9 months.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Railway Magistrate, Railway Court, Gaya in connection with Gaya Rail P.S. Case No. 365 of 2017.

(Sudhir Singh, J)

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