

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1184 of 2018

Arising Out of PS.Case No. -240 Year- 2017 Thana -RAJIVNAGAR District- PATNA

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Md. Sahib @ Md. Shahid S/o Md. Raja, R/o Lal Kothi, P.S.- Danapur,
District- Patna. Petitioner.

Versus

The State of Bihar Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Kumar Rajeev

For the Opposite Party/s : Md. Arif

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 10-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Rajeev Nagar P.S. Case
No. 240 of 2017 registered under Section 380 of the Indian Penal
Code.

As per the prosecution case, some household articles
are said to have been stolen from the house of informant by some
unknown miscreants by breaking open the lock of the house.

It is submitted by learned counsel for the petitioner
that the petitioner is neither named in the F.I.R. nor he was
apprehended on the spot. No incriminating article has been
recovered from his conscious physical possession. There is
nothing in the case diary indicating the complicity of the petitioner
in the occurrence barring the confessional statement of co-accused



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Golu Kumar. Though the stolen auto rickshaw and the sari are said to have been recovered from the possession of the petitioner and other accused but the seizure list indicates that the said recovery has not been made from the possession of the petitioner rather at Ramnagari Bazar near Jai Matadi Jewelers. The petitioner has been languishing in custody since 05.09.2017. Similarly situated co-accused, namely, Shahnewaz Qureshi has been enlarged on bail by a co-ordinate bench of this court in Cr. Misc. No. 58760 of 2017 vide order dated 13.12.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Judge-III-cum-Additional Chief Judicial Magistrate, Patna in connection with Rajeev Nagar P.S. Case No.240 of 2017.

(Prakash Chandra Jaiswal, J)

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