

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2236 of 2018

Arising Out of PS. Case No.-171 Year-2016 Thana- GURUA District- Gaya

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Rizwan @ Rizwan Khan @ Rizu Khan S/o Taukir Khan , R/o Village-
Aminabad, P.S.- Sherghati, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite

Party/s

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Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Mr. SRI MUSTAQUE ALAM

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 07-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Gurua P.S. Case No. 171 of 2016 registered for the offence punishable under Section 392 of the Indian Penal Code.

FIR has been lodged on the basis of written report of informant who in his statement has stated that on 07.12.2016 he alongwith his villager Amit Kumar had gone to Gaya by his motorcycle and at about 6.30 PM on returning when they reached near Khurha Bridge four persons all of a sudden came there and stopped his motorcycle and they took out Rs. 10,000/- from his pocket and Rs. 15,000/- from the pocket of his villager. It has been further stated that they also took his motorcycle and mobile sets and thereafter they fled away.



Learned counsel for the petitioner submitted that he is innocent and has been falsely implicated in this case. It has been further submitted that during course of investigation no incriminating material has been recovered from his possession nor he has been put on Test Identification Parade. It has been further submitted that during course of investigation co-accused Pawan Kumar and Murari Yadav have been arrested and from whose possession looted motorcycle was recovered who disclosed the name of petitioner. It has further been submitted that charge sheet has already been submitted and he is in custody since 27.07.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate- 1st Class, Sherghati, Gaya, in connection with Gurua P.S. Case No. 171 of 2016.

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(S. Kumar, J)

