

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24786 of 2018

Arising Out of PS. Case No.-945 Year-2017 Thana- KHAZANIHAT District- Purnia

Md. Faiyaz S/o Md. Asgar @ Md. Asgar Ansari, R/o Vill.- Sipahi Tola,
Chhoti Maszid, Ward No. 5, P.S.- K. Hat (Madhubani), District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhoy Kumar Kashyap
For the Opposite Party/s : Mr. Parmanand Prasad

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

ORAL ORDER

2 01-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with K. Hat
(Madhubani) P.S. Case no. 945 of 2017 registered under
Sections 379, 411/34 of I.P.C. and Section 37(B) of Bihar
Prohibition & Excise Act-2016.

Some hardware articles were stolen from the tiles
shop of the informant and one accused, namely, Rahul Kumar
was apprehended with stolen hardware articles while other
accused managed to escape. The apprehended accused Rahul
Kumar disclosed the name of the petitioner as his fleeing
accomplice and 31pieces Brassnal and 29 pieces Spaindels were
recovered from the house of the petitioner which is said to be



stolen articles.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern with the aforesaid occurrence. He has been falsely implicated in the case by Rahul Kumar due to animosity. Petitioner happens to be plumber and the articles seized from his house are hailing to him. He was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 24.12.2017 and the seized articles were not put on T.I.P.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-III-cum-Special Judge, Excise, Purnea in connection with K. Hat (Madhubani) P.S. Case no. 945 of 2017.

(Prakash Chandra Jaiswal, J)

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