

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39285 of 2018

Arising Out of PS. Case No.-67 Year-2018 Thana- BELDAUR District- Khagaria

Md. Irfan S/o Md. Yukub , R/o Vill.- Simari Bakhtiarpur, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 24-07-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is in custody in connection with Beldaur P.S.
case No. 67 of 2018 for the offence under section 395 of the
Indian Penal Code and later section 412 of the Indian Penal
Code was added.

Learned counsel for the petitioner submits that petitioner
has no criminal antecedent and his name surfaced on the
confessional statement of co-accused. It is wrongly alleged that
looted article was recovered from the possession of this
petitioner.

Referring to the various paragraphs of the counter
affidavit, learned counsel for the State submits that there is
recovery from the possession of this petitioner.



Mr. Tiwary, learned counsel for the petitioner submits that the articles are not in distinctive nature and as such it cannot be said that the materials recovered from the possession of the petitioner are looted materials. He submits that petitioner is in custody since 18.05.2018.

Considering the aforesaid, let the petitioner, named above, be enlarged on bail after 18.8.2018 on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Khagaria, in connection with Beldaur P.S. Case No.67 of 2018.

(Anil Kumar Upadhyay, J)

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