

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65937 of 2018

Arising Out of PS. Case No.-225 Year-2018 Thana- BAHADURPUR District- Patna

Chhotu Alam, Son of Alam Driver, R/o Mohalla- Daud Bigha, P.S.-
Agamkuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Nayan

For the Opposite Party/s : Mr. Jagdhar Prasad

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

ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Bahadurpur P.S. Case No. 225 of 2018 registered under Sections 379 and 411 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

Three miscreants tried to snatch the mobile phone from the informant in the course of travelling to Ara by train by assaulting on his hand by means of danda. Out of them, two were apprehended with arms and ammunition and mobile phone while one absconded. Apprehended accused namely Md. Suleman and Samir Kumar disclosed the name of the petitioner as their fleeing accomplice.



It is submitted by learned counsel for the petitioner that the petitioner is quite innocent. He has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in the case due to animosity. Barring the aforesaid disclosure of Md. Suleman and Samir Kumar, there is nothing in the record indicating the complicity of the petitioner in the occurrence. No incriminating article has been recovered from the conscious physical possession of the petitioner. He was not apprehended on the spot.

In the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Patna City in connection with Bahadurpur P.S. Case No. 225 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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