

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19548 of 2018

Arising Out of PS.Case No. -18 Year- 2018 Thana -MAJHAHGARH District- GOPALGANJ

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Shekh Hasmullah, S/o Late Shekh Rahmatullah aged about 69 years, R/o
Village- Mujauna Pathara, P.S.- Manjhagarh, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Sager Sharma

For the Opposite Party/s : Mr. Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 18-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Manjhagarh P.S. Case
No. 18 of 2018 registered under Sections 420, 467, 468, 471 and
120(B)/34 of the Indian Penal Code and Sections 66 and 67 of the
I.T. Act, 2000.

On a tip off that the petitioner's son along with his
aides are engaged in withdrawing the money from the account of
the people by using their pin codes and ATM Cards, police party
raided the house of the petitioner and petitioner was apprehended
while 4-5 accused persons managed to escape. On search of the
house of the petitioner, some incriminating articles such as ATM
cards, PAN cards, Pass Book, Cheque Book and internal banking



kit were recovered from the room of Jafar Abbas located in his house and the petitioner confessed his guilt.

It is submitted by learned counsel for the petitioner that the petitioner is quite innocent. He has committed no offence. He had no knowledge of running of any criminal activity from his house. The room from where the aforesaid articles are said to have been recovered is inhabited by the friend of the petitioner, namely, Jafar Abbas. Petitioner has no concern with the aforesaid occurrence. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring his confessional statement which has no evidentiary value in the eye of law. The petitioner has been languishing in custody since 14.01.2018.

Considering the facts aforesaid, 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 Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh P.S. Case No. 18 of 2018.

(Prakash Chandra Jaiswal, J)

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