

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1148 of 2018

Arising Out of PS.Case No. -43 Year- 2017 Thana -SONPUR RAIL P.S. District- SARAN

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Md. Sajjad @ Md. Sahjad, Son of Md. Jalil, Resident of Village-Sarsai, P.S. Sarai, District-Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 10-01-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Sonpur (Hajipur) Rail P.S. Case No. 43 of 2017 registered under Section 379 of the Indian Penal Code.

Motorcycle of the informant is said to have been stolen by some unknown miscreants from his house.

It is submitted by learned counsel for the petitioner that the petitioner is neither named in the FIR nor any incriminating article has been recovered from his conscious physical possession. There is nothing in the case diary indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused and the petitioner before the



police which has no evidentiary value in the eye of law. Two motorcycles are said to have been recovered from the rear side of the garage of the petitioner in connection with Sonapur (Hajipur) Rail P.S. Case no. 42 of 2017 but the petitioner has been enlarged on bail in the said case by a co-ordinate Bench of this Court vide order dated 19.09.2017 passed in Cr. Misc. no. 40752 of 2017. The petitioner has been languishing in custody since 27.07.2017.

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 Additional Chief Judicial Magistrate, (Railway) Sonpur (Saran) in connection with Sonpur (Hajipur) Rail P.S. Case No. 43 of 2017.

(Prakash Chandra Jaiswal, J)

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