

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26896 of 2018

Arising Out of PS. Case No.-74 Year-2018 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Mahmood Alam @ Md. Mahmood, S/o Joka Mian @ Joga Mian, Resident
of Village- Nawanagar, P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 11-06-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Kanti P.S. Case No.74 of 2018 registered under Section 379 of the
Indian Penal Code.

The accusation is that the informant Md. Kasim with his
Bolero vehicle and this petitioner with his Scorpio vehicle had gone
to the village-Chapra (Kanti) in the marriage ceremony and both
were present in the tent for taking the dinner. In a short interval,
when the informant came out from the tent after taking the dinner, he
found his vehicle missing. On query, the informant came to know
that this petitioner moved from his Bolero vehicle from there, while
his friend, moved with the Scorpio vehicle of this petitioner.

Learned counsel for the petitioner submits that, in fact, the



petitioner and the informant had gone with their vehicles on hire in the marriage ceremony and when the informant came out from the tent after taking the dinner, he found that his vehicle is not there. Only on suspicion, the informant has lodged this case, disclosing the name of the petitioner with the allegation of moving his Bolero vehicle. It is further submitted that, during investigation, it would appear from the case diary, which is upto paragraph-40 , upto now, only suspicion has been raised against the petitioner by the informant and none of the witnesses has stated about moving of the petitioner with the vehicle of the informant.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur, in connection with Kanti P.S. Case No.74 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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