

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20495 of 2018

Arising Out of PS.Case No. -20 Year- 2018 Thana -KISHANGANJ District- KISANGANJ

- =====
1. Md. Firoz, son of Julfat,
 2. Noor Alam @ Md. Noor Alam, son of Ahmad Hussain,
- Both are R/o Mohiddinpur, P.S.- Kishanganj, District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bajarangi Lal, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 07-05-2018 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

The petitioners are in custody since 11.01.2018 in connection with Kishanganj P.S. Case No.20 of 2018 registered for the offence under Sections 384, 392, 386, 394, 411, 114, 120B of the Indian Penal Code.

Learned counsel for the petitioners submits that though it is alleged that the petitioners were taken into custody from the place of occurrence, but only petitioner no.1, Md. Firoz, was found to be in possession of Rs.40/-and a silver chain and one Samsung mobile. It is submitted that had the petitioner ever taken from the Driver *Rangdari* of Rs.975/- as has been alleged in the F.I.R., the said amount would have been



recovered from the petitioner at the time of his being apprehended. It is further submitted that the petitioners have always been resisting the carriage of stone chips by the Drivers and as a consequence thereof, the police in league with such persons have lodged the present false case against these petitioners.

So far as recovery of Rs.3,475/- from petitioner no.2, Noor Alam, is concerned, learned counsel for the petitioners submits that it was also his own money and there is no recovery of arms from the present petitioner and there is also no injury inflicted on the Driver so as to indicate that the petitioner had been demanding *Rangdari* and had used force to make the truck stopped.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that save and except the allegation levelled in the F.I.R., there is no further material and the petitioners have no criminal antecedents.

In view of the aforementioned facts and circumstances, let the petitioners, above named, be released on bail on their furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate,



Kishanganj, in connection with Kishanganj P.S. Case No.20 of 2018.

(Anjana Mishra, J)

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