

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3454 of 2018

Arising Out of PS.Case No. -68 Year- 2017 Thana -BHAIRABASHTHAN District- MADHUBANI
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1. Md. Faizullah S/o Md. Sahabuddin Sah, R/o Village-Ram Nagar, P.S. Manigachhi, District-Darbhanga.
2. Md. Arman S/o Md. Murtuza, R/o Village-Sarisaw Pahi, P.S. Pandaul, District-Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Ram Anurag Singh
=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 17-01-2018 Heard learned counsel for the petitioners and APP for the State.

The petitioner seeks bail in connection with Bhairab Asthan P.S. Case no. 68 of 2017 registered under Section 395 of the Indian Penal Code.

Eight unknown motorcycle borne criminals are said to have plundered the motorcycle, two mobiles and bag containing some documents of the informant on the point of knife.

It is submitted by the learned counsel for the petitioners that the petitioners are neither named in the FIR nor any incriminating article has been recovered from their conscious physical possession. The petitioners were not put on TIP. There is nothing in the record indicating their complicity in the



occurrence barring confessional statement of co-accused Raushan Kumar and Barun Kumar before the police which has no evidentiary value in the eye of law. Earlier, the petitioners had got no criminal antecedent but subsequent to the case under hand, he has falsely been implicated in the two cases by the police out of which he has been enlarged on bail in one case. The petitioners have been languishing in custody since 09.08.2017.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st, Jhanjharpur, Madhubani in connection with Bhairab Asthan P.S. Case no. 68 of 2017.

(Prakash Chandra Jaiswal, J)

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