

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7095 of 2018

Arising Out of PS.Case No. -677 Year- 2017 Thana -KHAZANIHAT District- PURNIA

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1. Md. Irfan @ Irfan, Son of Late Kalim, Resident of Village Geghaura,
P.S. Kasba, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 20-03-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Section 392 of the Indian
Penal Code.

The FIR of the occurrence of loot in the house
is against unknown.

Submission of the learned counsel for the
petitioner is that the petitioner is in custody since
25.09.2017. The investigation is already complete. However,
the petitioner was never put on T.I.Parade before the
informant or his house inmates to establish the identity of
the petitioner as co-culprit.

On the other hand, learned counsel for the



informant submits that a stolen mobile and cash was recovered from possession of the petitioner. Hence, presumption is there against the petitioner that he was involved in the crime. Moreover, co-accused Md.Shakiluddin @ Md. Shakilur Rahman has been refused bail by a Coordinate Bench of this Court in Cr.Misc.No.60252 of 2017.

From perusal of the order whereby Md.Shakiluddin @ Md. Shakilur Rahman was refused bail, it appears that the record was not properly placed before the Hon'ble Bench, as it is noted in the order that Md.Shakiluddin @ Md. Shakilur Rahman is named in the FIR, whereas the FIR is against unknown. The Court further noted that Rs. One Lac which was looted notes were recovered from possession of Md.Shakiluddin @ Md. Shakilur Rahman.

Considering the period already undergone by the petitioner and material on the record, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with K.Hat (Sahayak) Police Station Case No.677 of 2017, subject to the condition that the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at



liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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