

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34535 of 2018

Arising Out of PS.Case No. -10 Year- 2018 Thana -DIGHALBANK District- KISANGANJ

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1. Md. Anwar Hussain @ Md. Anwar @ Anwar Alam, Son of Sohrab Ali,
resident of Village- Balubari, Police Station- Dighalbank, District-
Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 02-07-2018 Heard both sides.

The petitioner apprehends his arrest in Dighalbank P.S.

Case No.10 of 2018 registered under Sections 413, 414 and 34 of
the Indian Penal Code.

The police apprehended two persons namely Md.
Hamid and Md. Samim and recovered a pumping set alleged to
have stolen. Md. Samim and Md. Hamid disclosed that Md.
Anwar, Md. Akbar Ali and Rafique were also with them but they
fled away.

The learned counsel for the petitioner submits that
there is nothing on record to show that petitioner was
accompanying the accused persons. The petitioner has falsely been



implicated in the case. Save and except the confessional statement of co-accused, the police did not collect any tangible material which may show that the petitioner is involved in alleged theft of pumping set.

Considering the facts that save and except confessional statement of co-accused the police has not collected any tangible material against the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Kishanganj in connection with Dighalbank P.S. Case No.10 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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