

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4226 of 2019

Arising Out of PS. Case No.-586 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

Afran Mansoori, aged about 19 years, Male, Son of Ezazul Mansoori,
Resident of Village- Naya Tola, Raxaul, P.S.- Raxaul, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakti Suman Kumar

For the Opposite Party/s : Mr.Amarendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
05.10.2018 in a case registered for the offences punishable
under Sections 394/412 of the Indian Penal Code.

The prosecution case as per the written report of Janif
Baitha submitted to the Station House of Runni Saidpur Police
Station is to the effect that on 03.10.2018 at 1.00 A.M., the
informant and his father were going to their house from his own
Auto rickshaw, on the way, three motorcycle borne miscreants
attacked on the informant causing injury on his right hand and
on the point of revolver, they robbed the Auto rickshaw and
Rs.2,000/- from the informant. When the informant for giving
information in this regard rushed to the police station, on the
way, the informant met with the patrolling police party and



informant conveyed them about the incident, whereupon, the police chased the miscreants, and caught two persons.

It is submitted by learned counsel for the petitioner that mere on the basis of suspicion, the petitioner has been apprehended. It is further submitted that neither any arm has been recovered nor any incriminating article has been recovered from possession of the petitioner which suggests that the petitioner did not participate in the commission of the alleged offence. It is further submitted that the investigation has already been concluded. A statement has been made in paragraph 3 of the petitioner that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner has been apprehended from the spot.

Considering the fact that the petitioner has been apprehended from the spot but there is no recovery from the petitioner and the investigation has already been concluded, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released 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 Chief Judicial



Magistrate, Sitamarhi in connection with Runnisaidpur P.S.

Case No. 586 of 2018.

(Dinesh Kumar Singh, J)

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