

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10624 of 2019

Arising Out of PS. Case No.-54 Year-2018 Thana- SANGRAMPUR District- East
Champanan

=====

Mainuddin Khan, aged about 65 years, Male, Son of Late Karim Khan
Resident of Village - Ijara, P.S.- Sangrampur, District- East Champanan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar

For the Opposite Party/s : Mr. Umeshanand Pandit

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 22-02-2019 Heard leaned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody since
06.10.2018 in a case registered for the offences punishable
under Sections 363 and 370 of the Indian Penal Code.

The prosecution case as per the written report of
Habiban Khatoon submitted to Superintendent of Police,
Motihari, East Chmaparan is to the effect that the son of the
informant Samsuddin Ansari went in the company of the
petitioner, Mainnudin Khan and co-accused Tanvir Khan and



Azad Khan about three years prior to the lodging of the present case. After fifteen days of his departure, the son of the informant talked with the informant and conveyed that he is working somewhere in Delhi and promised to come during Eid Festival. On 20.02.2018, when the informant asked the petitioner to call back his son, then he gave him Rs.50,000/- for the present with an assurance that he will give more money to the informant. On further inquiry about his son, the petitioner told him that his son is not in this world now.

It is submitted by learned counsel for the petitioner that the FIR has been lodged after 3 years of the actual occurrence. There is nothing on record to suggest that the son of the informant went in the company of the petitioner. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the accusation is specific against the petitioner.

Considering the circumstantial nature of accusation and investigation already being concluded, coupled with statement made in paragraph no. 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 **14th Additional Chief Judicial
Magistrate, Motihari** in connection with **Sangrampur P.S.
Case No.54 of 2018.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

U		T	
---	--	---	--

