

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11090 of 2019

Arising Out of PS. Case No.-133 Year-2018 Thana- BELSAND District- Sitamarhi

MD. SADDAM @ MD. SADAM HUSSAIN Son of Md. Jainul @ Md. Jainul
Miya Resident of Village - Jhaua Tola, P.S.- Belsand, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 02-05-2019 Heard the learned counsel for the petitioner and
learned APP.

2. The petitioner apprehends his arrest for the alleged offences under Section 395 of the Indian Penal Code registered in connection with Belsand P.S. Case No. 133/2018.

3. It is submitted that the petitioner has been falsely implicated and except the extra judicial confessional statement of co-accused there is no objective material to connect the petitioner with the alleged occurrence. The petitioner is not named in the FIR, which is against 5-6 unknown persons. No recovery of any incriminating articles has been made from the possession of the petitioner. Similarly situated co-accused Shivam Kumar has been granted anticipatory bail by this Court in Cr. Misc. No. 76833 of 2018.

4. A supplementary affidavit has been filed on behalf of the petitioner bringing on record the fact that the petitioner has been made accused in Belsand P.S. Case No. 79/2018 for the alleged offences under Sections 366A, 363, 120B IPC and in which he is on bail. It is submitted that this fact could not be



mentioned earlier owing to misconception.

5. Be that as it may, the provisional bail granted to the petitioner by order dated 25.02.2019 pending in the Court of learned Chief Judicial Magistrate, Sitamarhi in connection with Belsand P.S. Case No. 133/2018 is hereby confirmed.

(Vikash Jain, J)

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