

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12965 of 2019

Arising Out of PS. Case No.-128 Year-2018 Thana- JALE District- Darbhanga

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1. Md. Reyaz @ Reyaz, Age-22, Sex-Male, S/o Late Md. Alamgir, Resident of Village- Mujauliya, P.S.- Sursand , District- Sitamarhi.
 2. Md. Irsad @ Irsad, Age-28, Sex-Male, Son of Md.Anish, Resident of Village- Mujauliya, P.S.- Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-03-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are languishing in custody since 20.08.2018 in a case registered for the offences punishable under Sections 457, 380, 411, 413 and 34 of the Indian Penal Code.

The prosecution case as per the written report of Ravindra Kumar Jha submitted to the Station House Officer of Jalley Police Station is to the effect that on 18.08.2018 at 11.30 P.M., the informant went to sleep when he woke up he found four persons running and on chase, two persons were apprehended, who disclosed their name as Md. Reyaz and Md.



Irsad, the petitioners. It is alleged that the petitioners confessed the factum of commission of theft and from their possession, seven mobile phones were recovered.

It is submitted by learned counsel for the petitioners that only on the basis of suspicion, the petitioners have been apprehended. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners were apprehended from the spot.

Considering the fact that the impugned order does not suggest that the recovered mobiles or cash have been put on T.I. Parade till date, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Darbhanga in connection with Jalley P.S. Case No. 128 of 2018.

(Dinesh Kumar Singh, J)

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