

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No. 14636 of 2019**

Arising Out of PS. Case No.-7 Year-2019 Thana- MANJHAGARH District- Gopalganj

Saddam @ Sadam, Son of Isha Ansari, Resident of Village - Akbarpur,  
Magarua Kutti, P.S.- Nebua Naurangiya, District - Kushinagar (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Pushpa Sinha.1

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

**ORAL ORDER**

2      11-03-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is languishing in custody since 05.01.2019 in a case registered for the offences punishable under Sections 461, 379 and 411 of the Indian Penal Code.

The prosecution case is that the petitioner was caught red handed while taking away four bags of rice weighing 200 kgs, which was kept for Mid Day Meal, on his TVS Moped vehicle, after breaking in the gate of the school.

It is submitted by learned counsel for the petitioner that nothing has been recovered from the conscious physical



possession of the petitioner and the petitioner has maliciously been roped in the present case. It is further submitted that the accusation made in the FIR seems quite unbelievable as no one can carry four bags of rice weighing 200 kgs. on a Moped vehicle. 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 recovery has been made from the possession of the petitioner.

Considering the nature of accusation and period under custody, 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 **C.J.M., Gopalganj** in connection with **Manjhagarh P.S. Case No.07 of 2019.**

**(Dinesh Kumar Singh, J)**

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