

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19532 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- BIHTA District- Patna

Aftab Ali, Son of Aliyas, Resident of Village - Kharosara, P.S.-Khajuri,
District- Balia (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 22.01.2019 in a case registered for the offences punishable under Sections 395 and 412 of the Indian Penal Code.

The prosecution case is that the Scorpio vehicle borne miscreants robbed the container when four persons were apprehended from the spot, who disclosed their name as co-accused Sonu Kumar, Md. Rinku, Sushil Verma and Aftab Ali, the petitioner. They also disclosed the name of the persons who escaped from the scene as co-accused Bablu Singh. Though, nothing incriminating was recovered from their possession but they confessed their involvement in the alleged occurrence.

It is submitted by learned counsel for the petitioner



that there is no recovery from the conscious physical possession of the petitioner and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner was apprehended from the spot and he is named in the FIR.

Considering the fact that the petitioner was apprehended when no recovery was made and statement being 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 Additional Chief Judicial Magistrate-I, Danapur, Patna in connection with Bihta P.S. Case No. 74 of 2019.

(Dinesh Kumar Singh, J)

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