

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40350 of 2019

Arising Out of PS. Case No.-89 Year-2018 Thana- FORBESGANJ District- Araria

MD. SUBHAN MIAN @ SUBHAN MIAN Son of Md. Khatru Resident of
Village- Tappu Tole Jogbani, P.S.- Jogbani, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 399 and 402 of the Indian Penal Code.

Prosecution case, in short, is that while the informant
along with other police party was on patrolling duty, on seeing
the police the accused persons started fleeing but were
apprehended by the police.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 25.7.2018. Charge-
sheet/prosecution report has been submitted in this case. There
is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner was not apprehended at the spot. The
name of the petitioner has transpired on the basis of confession



of co-accused. There is no recovery of any incriminating articles from the possession of the petitioner. The petitioner is in custody for approximately a year.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 89 of 2018, G.R. No. 394 of 2018.

(Sudhir Singh, J)

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