

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55892 of 2018

Arising Out of PS. Case No.-107 Year-2016 Thana- BARSOI District- Katihar

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Md. Jamil Akhtar @ Jamil Akhtar @ Zamil Akhtar, Son of Md. Shohrab Mallah @ Shohrab Mallah @ Md. Sohrab, Resident of Village- Kazitola Shohjana, Police Station- Azamnagar, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abdul Wadood

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

8 09-01-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Barsoi (Sudhani O.P.) P.S. Case No. 107 of 2016 registered under Section 392 of the Indian Penal Code.

The motorcycle and mobile of the informant is said to have been snatched away by three unknown motorcycle borne criminals.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. The petitioner is neither named in the F.I.R. nor any incriminating article has been recovered from his conscious physical possession. He was not put on T.I.P. It has been further



submitted that other co-accused persons, namely, Mansoor Alam and Md. Akil have been granted bail by the learned lower Court. The petitioner has been languishing in custody since 31.08.2018.

On the other hand, learned APP for the State vehemently opposing the prayer for bail has submitted that the petitioner is having 14 criminal antecedents of the like nature. He happens to be inter-State criminal which is evident from para-223 of the case diary. His mobile was located at the place of occurrence at the time of occurrence and the eye witness has also seen the petitioner running away from the place of occurrence immediately after the occurrence.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Prakash Chandra Jaiswal, J)

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