

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49497 of 2019

Arising Out of PS. Case No.-585 Year-2018 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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AFAROJ @ AFRAN MANSURI, aged about 19 years (M), S/o Azazul Mansoori, Resident of Village- Naya Tola, Raxaul, P.S.- Raxaul, District- East Champaran (Motihari).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Sunil Kumar Pandey, Advocate.
For the Opposite Party : Mr.Choubey Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 02.03.2019 in a case for the offence registered under Section 394 of the IPC.

The prosecution story, in brief, is that on 29.09.2018 when the informant was going to his native house after closing his shop and when he reached near Biscuit Factory of Shubhankarpur, two miscreants were standing there from before by parking their *Scooty* without number. The miscreants restrained the informant and one of them hit him by slap and snatched Rs. 400/- from his shirt pocket and Rs. 15,000/- from his T. Pocket of Pant. He has further alleged that the miscreants



with intention to kill him attacked with *Hasuli* upon his neck resulting in, the informant sustained sharp cutting injury upon his neck and another miscreants taken out pistol and tried to kill him but another miscreant asked him not do so and thereafter they fled away from the scene.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has come in the present case on the basis of his self confession. No Test Identification Parade was conducted. There is no recovery of any incriminating article from possession of the petitioner. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let 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 the learned S.D.J.M.



West, Muzaffarpur, in connection with Kanti P.S. Case No. 585
of 2018.

(Sudhir Singh, J)

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