

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51484 of 2019

Arising Out of PS. Case No.-16 Year-2017 Thana- BIHARSHARIF RAIL P.S. District- Patna

MD. SAMIR MIAN @ MD. SAMEER @ SABIR @ PRAWAJ @ BUDHNA (Male), aged 21 years, Son of Md. Sultan @ Rezwan Alam, permanent resident of Village-Alipur Bihta, P.S.-Salimpur, District-Patna, At present residing at Mohalla-Ajibahar, Ward No.29, Police Station-Biharsharif, District-Nalanda.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Birendra Sharma, Advocate.
For the Opposite Party : Mr.Ashok Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-08-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 31.05.2018 in a case for the offence registered under Sections 395 and 397 of the I.P.C.

The prosecution story, in brief, is that while the informant was travelling in a Train, 8-10 youghts have entered into the compartment and started dacoity on the point of arms and have looted the H.T.C Mobile and cash of Rs. 3000/- of the informant and on protest, assaulted him with knife. The also looted some articles of other passengers.

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. His name has come on the basis of confession of co-accused. There is no recovery of any incriminating article from possession of the petitioner. The petitioner has not been put on T.I. Parade.

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 Additional Sessions Judge-VIII, Patna, in connection with Sessions Trial No. 449 of 2018, arising out of Bihar Sharif Rail P.S. Case No. 16 of 2017.

(Sudhir Singh, J)

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