

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55169 of 2019

Arising Out of PS. Case No.-196 Year-2018 Thana- MIRGANJ District- Gopalganj

Asif Ali @ Arif Ali S/o Banke Miya @ Banke Ansari R/o village- Ijmali, P.S.-
Barharia, District- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in connection with Mirganj P.S. Case No. 196 of 2018 for the offence registered under Section 387 of the Indian Penal Code.

Learned counsel for the petitioner submits that the name of the petitioner is framed merely on the basis of confessional statement made by one co-accused Arif Raja. There has been no recovery from the possession of the petitioner. It is further submitted that the alleged phone call was not from the mobile of the petitioner but from another person and thue the petitioner cannot be implicated in connection with present case.

Considering the aforementioned facts and circumstances admittedly, the mobile phone used was not of the



present petitioner and that the petitioner has clean antecedent, let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate XVI, Gopalganj, in connection with Mirganj P.S. Case No. 196 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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