

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79623 of 2018

Arising Out of PS. Case No.-196 Year-2018 Thana- ISHAKCHAK District- Bhagalpur

Md. Reyaz @ Md. Rayaz @ Tinku, Son of Md. Zakir @ Md. Tarzan,
Resident of Mohalla - Ishakchak, P.S.- Ishakchak, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate
For the Opposite Party/s : Smt. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 11-01-2019 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with
Ishakchak P.S. Case No. 196 of 2018 for the offence under
Sections 413, 414 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has been made accused in this case only on the basis
of suspicion. He submits that nothing has been recovered from
the possession of the petitioner. He further submits that in
absence of ingredient of the offence of theft in the F.I.R., the
case under Sections 413 and 414 of the I.P.C. is not sustainable.
The petitioner is in custody since 27.10.2018 and he has got no
criminal antecedent.

Considering the fact that the petitioner has got no
criminal antecedent and there is no case of theft of motorcycle



and also considering the fact that the petitioner is languishing in jail since 27.10.2018, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur in connection with Ishakchak P.S. Case No. 196 of 2018.

(Anil Kumar Upadhyay, J)

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