

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.62590 of 2019**

Arising Out of PS. Case No.-322 Year-2018 Thana- FORBESGANJ District- Araria

MD. MURSHID @ MURSHID Son of Md. Nezam Resident of Village-  
Mahichanda, Mirzapur, P.S.-Simraha, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Md. Naushad Uzzoha  
For the Opposite Party/s : Mr.Anil Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH  
ORAL ORDER**

2      25-10-2019                      Heard learned counsels for the petitioner and the  
State.

The petitioner is languishing in custody since 10.08.2018  
in a case registered for the offences punishable under Sections  
379/34 of the IPC.

It is alleged that from the dickey of the motorcycle of the  
informant, five mobile phones with SIM cards and cash of Rs.  
700/- were robbed, leading to registration of FIR against  
unknown persons. The name of the petitioner sprang up during  
investigation on the confession of co-accused persons.

It is submitted by learned counsel for the petitioner that  
admittedly, no recovery has been made from the conscious  
physical possession of the petitioner and the petitioner has not  
been put on T.I. Parade. A statement has been made in paragraph



no.3 of the petition that the petitioner is made accused in eight other cases. It is further submitted that similarly situated co-accused, Alnoor @ Md. Alanur @ Md. Ulanur has been granted bail by a Co-ordinate Bench of this Court, vide order dated 27.06.2019, passed in Cr. Misc. No. 39585 of 2019.

Learned APP submits that the name of the petitioner sprang up during investigation on the confession of co-accused persons.

Considering the nature of accusation, period under custody and the fact that similarly situated co-accused person has been granted bail by a Co-ordinate Bench of this Court, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Araria in connection with Forbesganj (Simraha) P.S. Case No. 322 of 2018.

Since the petitioner is having serious criminal antecedent, learned Court below will be at liberty to cancel the bail bonds of the petitioner if he defaults for three consecutive occasions or gets involved in some serious nature of offence.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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