

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64453 of 2019

Arising Out of PS. Case No.-346 Year-2018 Thana- JOKIHAT District- Araria

MASOOD, Son of Hanif Resident of Village - Thapkol, P.S.- Jokihat,
District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Mukesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 24-10-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Jokihat P.S. Case no. 346 of 2018, registered under Sections 379, 511, 290 and 427/34 of the Indian Penal Code and 37 (C) of Bihar Prohibition and Excise Act, 2016.

The accusation is that in the morning of 09.11.2018, informant Dr. Lalan Kumar Sah was in his hospital room at Jokihat, he heard hulla outside then he came out from room and saw three persons entered in the room of the hospital after breaking the lock of the door. Out of three, one person was apprehended, who disclosed his name Md. Murtaza and he also disclosed the name of his associates as Rehan and Massod (petitioner). The liquor smell was coming from the



mouth of apprehended person Md. Murtaza.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot, rather, his name surfaced in the confessional statement of co-accused Md. Murtaza, who was apprehended making attempt to commit theft in the office of hospital. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-II-cum-Special Judge, Araria in connection with Jokihat P.S. Case No. 346 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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