

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9181 of 2020

Arising Out of PS. Case No.-210 Year-2019 Thana- SINGHESHWAR District- Madhepura

MD. ASLAM, aged about 18 years, Sex-Male, S/o Md. Rabban, Resident of Village- Jhitakiya, P.S.- Singheshwar, Distt- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Uday Chand Prasad, Advocate.
For the Opposite Party : Mr.Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-03-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 457 and 380 of the ILPC.

The prosecution story, in brief, is that on 28.08.2019 at about 10.30 P.M. the informant and his family members had slept on the *Verandah* after taking meal and when he woke up in the morning, the chain of his house has been found open and he had kept cash of Rs. 11,31,000/- of selling of his one Katha land in the box, which was missing and in the morning, some people told the informant that one box is lying in the field in broken condition, there was no money in the box and clothes and other articles were found scattered there. The informant has suspected that this petitioner and seven co-accused persons named in the F.I.R. have committed theft of box including money, which was kept in the box.



It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 03.10.2019. The petitioner has got no criminal antecedent. He 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 name of the petitioner has come in the present case merely on the basis of suspicion. Neither there is eye witness to the alleged occurrence to suggest the implication of the petitioner in the present case nor there is circumstantial evidence to suggest the participation of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is 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 C.J.M., Madhepura, in connection with Singhehwar P.S. Case No. 210 of 2019.

(Sudhir Singh, J)

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