

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77365 of 2019

Arising Out of PS. Case No.-186 Year-2017 Thana- PATAHI District- East Champaran

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TIPU SULTAN @ SARFARAZ ANSARI S/o Shamsuddin Ansari Resident of
Village- Kharyana, P.S.- Dhaka, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 17-03-2020 Heard both sides.

The petitioner seeks bail in Patahi P.S. case No. 186 of
2017 registered under Section 279, 337, 338, 341, 323, 379,
504, 506 of the Indian Penal Code.

The informant alleged that while he was returning
from market one unknown person got injuries from the handle
of his motor cycle. That unknown person assaulted the
informant and snatched his motor cycle.

The learned counsel for the petitioner submits that
petitioner is not named in the FIR. Nothing has been recovered
from the possession of the petitioner. The petitioner was
apprehended and he has confessed his guilt in paragraph 35 of
the case diary before the police. Thereafter, two other witnesses
in paragraph 42 and 43 are said to have disclosed that petitioner



was found roaming around the place of occurrence and save and except this material there is no tangible evidence to show the involvement of the petitioner. The petitioner has, of course, got criminal antecedent but there is no material in the entire case diary to show the involvement of the petitioner. In the present case the petitioner is in custody since 11.12.2018. The petitioner has remained in jail for more than one year and three months.

The learned APP did not dispute the facts.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner, above named is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VIII, East Champaran, Motihari in connection with Patahi P.S. case No. 186 of 2017.

(Prabhat Kumar Jha, J)

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