

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81648 of 2019

Arising Out of PS. Case No.-93 Year-2019 Thana- NAUHATTA District- Saharsa

MD. NAUSHAD @ MD. NAUSHAD ALAM Son of Md. Sahadat @ Md. Sahadat Ali Resident of Village - Paharpur Panchayat Kedli, P.S.- Nauhatta, Distt - Saharsa.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Pawan Kumar, Advocate.
For the State : Mr. Anish Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 19-06-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection with Nauhatta P.S. Case No.93 of 2019 registered under Sections 379/34 of the Indian Penal Code.

The accusation is that in the midnight of 22/23.09.2019, the L.C.D. Television, which was fixed in the house of the informant, was theft. On visualizing the C.C.T.V. Footage of his house, the informant identified Md. Shamim and Md. Naushad (petitioner) indulged in committing the theft of his L.C.D. Television from his house.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that while the occurrence is said to be of the midnight of 22/23.09.2019, but the present case was lodged by the



informant on 24.09.2019. While it is alleged in the F.I.R. that the petitioner and one Md. Shamim were seen in the C.C.T.V. Footage in removing the L.C.D. Television from the house of the informant but in paragraph-4 of the case diary, in which the place of occurrence has been detailed, it is mentioned that the petitioner had not entered into the house of the informant rather he was outside the house of the informant. The petitioner has falsely been implicated in this case on mere suspicion because he is the neighbour of the informant. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, 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 Sri Praduman Kumar, Judicial Magistrate, First Class, Saharsa, in connection with Nauhatta P.S. Case No.93 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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