

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78321 of 2019

Arising Out of PS. Case No.-54 Year-2018 Thana- JALE District- Darbhanga

Md. Naseem @ Md. Naseem Nadaf @ Basim Nadaf, Son of Md. Hasim @
Md. Kadir Nadaf Resident of Village - Bhalhi, Bhatha, Harpur, P.S.- Bathraha,
District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 16-03-2023 Heard Mr. Pushpendra Kumar Singh, learned
counsel appearing on behalf of the petitioner and Mr. Satya
Nand Shukla, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in
connection with Jalley P.S. Case No. 54 of 2018, registered
under Sections 457 and 380 of the Indian Penal Code.

3. The prosecution case, in brief, is that the
informant has lodged an F.I.R. against unknown miscreants
alleging therein that theft has been committed and valuable
articles along with Rs. Two Lakh has been stolen away by the
miscreants.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is not named in the F.I.R. In
course of investigation the stolen mobile was recovered from



the brother of the petitioner. The petitioner has no role in the alleged offence. He further submitted that no incriminating material has been recovered from the possession of the petitioner. On these grounds, he seeks to be released on pre-arrest bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the rival submission of the parties and the fact that in absence of any evidence Final Form has been submitted in favour of the petitioner, the petitioner has clean antecedent, the petitioner has made out a case to be released on pre-arrest bail. 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. 25,000/- (Rs. Twenty Five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Darbhanga in connection with Jalley P.S. Case No. 54 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Purnendu Singh, J)

manish/-

U		T	
---	--	---	--

