

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21801 of 2018

Arising Out of PS. Case No.-677 Year-2017 Thana- KHAZANIHAT District- Purnia

Md. Shakiluddin @ Md. Shakilur Rahman S/o Late Md. Zainuddin, R/o
Mohalla- Line Bazar, P.S.- K. Hat, (Sahayak), District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naushad Akhtar

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in
connection with K. Hat (Sahayak) P.S. Case No. 677 of 2017
registered for the offence punishable under Sections 392 of the
Indian Penal Code.

The allegation in the FIR as per informant who is a
Medical Practitioner, is that two unidentified criminals entered
his bed room while he and his wife were watching the T.V. and
overpowered them by means of arms and thereafter confined
them by tying from rope and also assaulted them and looted 3
lacs rupees kept in briefcase. He heard one of them calling
another by name "Irfan". Informant suspected involvement of



his present or past employees as the criminals had full knowledge about structure of house and cash. F.I.R was registered against said Irfan and one unknown. Petitioner is not named in the FIR and his name surfaced in this case during investigation and during raid 1 lac rupees cash was recovered from his possession.

Petitioner had earlier filed regular bail petition being Cr. Misc. No. 60252 of 2017 which was rejected by this Court by order dated 16.01.2018 with liberty to renew his prayer for bail after one year of custody.

Petitioner has filed this second petition for grant of regular bail on the ground that co-accused named in FIR Md. Irfan and from whose possession also cash and mobiles were recovered has been granted bail by this Court in Cr. Misc. No. 7095 of 2018 dated 20.03.2018 who is similarly placed and as such petitioner be also extended similar benefit. No T.I.P. of recovered articles has been made yet and he has been arrested on suspicion only.

Considering the facts and circumstances of present case that petitioner is not named in FIR and one similarly placed co-accused has been granted privilege of regular bail



and charge sheet having been submitted in this case and petitioner being in custody since 25.09.2017 and having no criminal antecedent, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea, in connection with K. Hat (Sahayak) P.S. Case No. 677 of 2017.

(S. Kumar, J)

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