

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18719 of 2019**

Arising Out of PS. Case No.-451 Year-2018 Thana- NARPATGANJ District- Araria

Md. Rashid @ Raju, s/o Md. Gaffar, Resident of Village- Rewahi, P.S.-
Narpatganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

For the Opposite Party/s : Mr.Rabindra Kumar

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 01-04-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is languishing in custody since
02.11.2018 in connection with Narpatganj P.S. Case No.451 of 2018
(G.R. No.2421 of 2018) registered for the offence punishable under
Section 392 of the Indian Penal Code.

The prosecution case is that on 24.07.2018, the informant
was robbed of his gold chain, Samsung mobile phone, pulser
motorcycle and cash, leading to registration of FIR against
unknown. During investigation, the name of the petitioner sprang
up on the basis of confession.

It is submitted by learned counsel for the petitioner that
there is no recovery from possession of the petitioner nor the
petitioner has been put on T.I. Parade. Only on the basis of
confession of co-accused, the petitioner has been made accused in
this case. The petitioner is accused in five other cases and he is on



bail in all these five cases, statement to that effect has been made in paragraph no.3 of the bail application.

Learned A.P.P. for the State has vehemently opposed the prayer for bail and submits that the name of the petitioner sprang up on the basis of confessional statement of co-accused person.

Considering the fact that the material on record does not suggest recovery from possession of the petitioner nor the petitioner has not been put on T.I. Parade and the investigation has already concluded, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria in connection with Narpatganj P.S. Case No.451 of 2018 (G.R. No.2421 of 2018).

Since the petitioner is having a serious criminal antecedent, learned Court below will be at liberty to cancel the bail bond of the petitioner if he is found indulged in similar nature of offence.

(Dinesh Kumar Singh, J)

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