

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62293 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- BALIA BELON District- Katihar

MD. MINHAJ ALAM @ MD. MINHAJ @ MINHAJ ALAM, aged about 32 years (M), Son of Akhtar Alam, Resident of Village-Sihpur, P.S.-Balial Belon, District-Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Harish Chandra Patel, Advocate.
For the Opposite Party : Mr.Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 14-11-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 392/34 of the IPC.

The prosecution story, in brief, is that on 08.04.2019 at about 12.30 noon, while the informant was going towards Salmari, two persons on gun point, took away Rs. 1,27,718/- alongwith Tab and purse containing with Adhar Card and Voter Car and thereafter they fled away.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 20.06.2019. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the



F.I.R. The name of the petitioner has come in the present case on the basis of confessional statement of co-accused. There is no recovery of any incriminating article from possession of the petitioner. The petitioner has not been put on T.I. Parade. It is further submitted that Rs. 5,000/- and one Tab are alleged to have been recovered from possession of the petitioner. As far as the recovered amount is concerned, the same belongs to the petitioner and the Tab in question has not been put on T.I.Parade to ascertain whether the same was looted property or not.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Katihar, in connection with Baliya Belon P.S. Case No. 40 of 2019.

(Sudhir Singh, J)

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