

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2860 of 2020

Arising Out of PS. Case No.-31 Year-2017 Thana- MOUZAHDIPUR District- Bhagalpur

Geedarwa @ Faiaz @ Md. Faiaz @ Mohammad Faiyaz Alam (Male), aged about 35 years, Son of Shamsheer @ Md. Shamsheer Resident of Village- Churammba, P.S.- Basedeopur (Kotwali), District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Opposite Party/s : Mr. Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 20-03-2020 Heard Mr. Shivendra Kumar Sinha, learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Mojahidpur P.S. Case No. 31 of 2017, registered for the offence punishable under Section 392 of the Indian Penal Code, 1860.

The prosecution story in brief is that the informant was intercepted near the Lucky Bakery, Ganichak Road by three miscreants under the threat of gun and they snatched mobile phones and gold ornaments worth about Rs. 1,60,000/- from the wife of the informant.

Mr. Shivendra Kumar Sinha, learned counsel appearing for the petitioner submits that petitioner is not named



in the F.I.R. and has falsely been implicated in this case merely on the basis of confessional statement of the co-accused Md. Irfan. Learned counsel submits that though the petitioner is named in ten cases and he is having antecedent, but in all the cases he has been granted bail by competent court. Learned counsel further submits that save and except the fact that his name transpired on the basis of confessional statement of the co-accused, no incriminating article has been recovered from the possession of the petitioner and the petitioner is in custody since 29.05.2019 however, till date he has not been put on T.I. Parade by the Investigating Agency.

Having heard learned counsel for the parties and taking into consideration the fact that no incriminating article has been recovered from the possession of the petitioner, the petitioner has not been put on T.I. Parade despite lapse of about so many months and petitioner is in custody since 29.05.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur P.S. Case No. 31 of



2017 subject to the condition that petitioner shall co-operate in the trial and shall be present on each and every date fixed by the Court below and his absence on two consecutive dates without any proper and just explanation will be sufficient to cancel his bail bond.

(Anil Kumar Sinha, J)

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