

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13425 of 2020

Arising Out of PS. Case No.-119 Year-2019 Thana- AIRPORT District- Patna

MD. SABBIR @ MD. SHABBIR S/o Salim Resident of Lal Miyan Ki
Dargah, Munir Colony, P.S.- Phulwari Sharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.S. Jamil Akhtar

For the Opposite Party/s : Mr.Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 02-09-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Hawai
Adda P.S. Case No. 119 of 2019, registered under Section 392
of the Indian Penal Code.

The accusation is that informant Dipak Kumar,
being driver, proceeded on 09.05.2019 at about 10.00 A.M.
from Farbisganj with Sanjeev Kumar Das, friend of his
employer, for Patna in connection with treatment and reached
near Ashiyana, Raja Bazar, where Sanjeev Kumar Das went
in Maa Rest House for stay. At about 10.00 P.M. a person
wearing black colour jeans and T-shirt came near his vehicle
and knocked the glass, when he opened the glass then that
person moved towards back of the vehicle and one other



person wearing blue colour jeans came to him and asked to open the gate of the vehicle, on the point of pistol. In fear, he opened the gate then he removed him from driver seat and sat on the driver seat. One white colour Scorpio vehicle was escorting his vehicle and at lonely place he was removed from his vehicle.

Learned counsel appearing for the petitioner submits that it would appear from the F.I.R. that on the basis of written report of informant Dipak Kumar, Hawaii Adda P.S. Case No. 119 of 2019 was instituted under Section 392 of the Indian Penal Code on 09.05.2019 against two unknown. In course of investigation, the name of petitioner surfaced in the confessional statement of co-accused Md. Meraj Imam @ Rinku, as detailed in paragraph 37 of the case diary, except, that there is nothing against the petitioner to show his involvement in the present case. Further submission is that, in fact, the petitioner is accused in ten cases due to that reasons, the Police managed to implicate the petitioner in this case showing his name in the confessional statement of Md. Meraj Imam @ Rinku. Further submission is that petitioner has been remanded in this case from Kotwali P.S. Case No. 404 of 2019 on 27.08.2019, but he has not been put on T.I.P. while



informant has detailed the physique of both culprits.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Smt. Tanveer Kaur, Judicial Magistrate, 1st Class, Patna in connection with Hawai Adda P.S. Case No. 119 of 2019. One of the sureties, must be parents/close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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