

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27699 of 2020

Arising Out of PS. Case No.-373 Year-2018 Thana- DARIYAPUR District- Saran

=====

LAL BABU MIAN @ AFTAB ALAM @ AFTAB ALAIM S/o Md. Abbas
Resident of Village-Harpur Parsa, P.S.-Parsa, District-Saran at Chapra
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mazharul Hassan, Adv.

For the Opposite Party/s : Mr.A.G

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-10-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Dariyapur P.S. Case No.
373 of 2018 registered under section 392 of the Indian Penal
Code.

As per allegation in the FIR, the informant was
assaulted by the accused persons and looted of a sum of Rs. 2.78
lakhs. The FIR was registered against unknown and the name of
the petitioner transpired in course of investigation.

It is submitted by learned counsel for the petitioner
that the name of the petitioner transpired on the confessional
statement of a co-accused. No incriminating article has been



recovered from his possession and he is in custody since 16.8.2019. It is further submitted that the earlier application for bail of the petitioner was rejected vide order dated 24.2.2020 (Annexure-1) passed in Cr. Misc. no. 83621 of 2019 giving liberty to the petitioner to renew his prayer for bail after framing of charge. It is submitted by learned counsel for the petitioner that charge has been framed in the case on 16.3.2020 and as such his prayer for bail.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner being in custody since 16.8.2019 together with the observation given by the earlier order of rejection dated 24.2.2020 (Annexure-1) and the charges having been framed, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Dariyapur P.S. Case No. 373 of 2018 on furnishing bail bond of Rs.10,000/ (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra.

It is further directed that the petitioner shall remain



personally present on each date of the trial and in case of his absence on any date for reasons not to the satisfaction of the learned Court below, his bail bond shall be cancelled and he shall be taken into custody till conclusion of the trial.

(Partha Sarthy, J)

sushma/-

U			
---	--	--	--

