

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32316 of 2020

Arising Out of PS. Case No.-338 Year-2019 Thana- DUMRA District- Sitamarhi

Md. Saddam @ Md. Saddam Hussain, aged about 28 years, Male, Son of Late Rasul, Resident of Village - Gisara, P.S.- Parsauni, District – Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-12-2020 Heard Mr. Ranjeet Kumar Mishra, the learned counsel
for the petitioner and Mr. Braj Kishore Prasad, the learned
Additional P.P. through video conferencing.

The petitioner seeks bail in Dumara P.S. Case No.338
of 2019, registered under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR. The petitioner was arrested in
Parsauni P.S. Case No.67 of 2019, registered under Section 392
of the Indian Penal Code and he is said to have confessed his
guilt. It is further submitted that on the basis of the confession
of the petitioner, the looted vehicle of the present case is said to
have been recovered from possession of Ajay Mahto. The
petitioner is in jail since 25.11.2019. The petitioner has already
remained in jail for more than a year but the petitioner has not



been put on TIP. No looted article was recovered from possession of the petitioner.

Mr. Braj Kishore Prasad, the learned Additional P.P. vehemently opposed the prayer for bail.

Perused the records. It appears that the petitioner is not named in the FIR. The petitioner is said to have confessed his guilt and thereupon the looted bike is said to have been recovered from possession of co-accused Ajay Mahto, but petitioner is in jail for more than a year and he has not been put on TIP till date. Co-accused, Rajesh Sah has already been granted bail vide order dated 11.11.2020, passed in Cr. Misc. No.29057 of 2020.

Considering the facts aforesaid, petitioner, namely, Md. Saddam @ Md. Saddam Hussain is directed to 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 the learned C.J.M., Sitamarhi in connection with Dumara P.S. Case No.338 of 2019.

(Prabhat Kumar Jha, J)

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