

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25303 of 2020

Arising Out of PS. Case No.-141 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

MD. RIZWAN @ BABU S/o Md. Shafique Idrisi R/o Chhawani Muhallah,
Ward No. 8, P.S.- Bhabua, District- Kaimur at Bhabua, District- Kaimur at
Bhabua.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of Virtual Court proceeding.

The matter has been listed under the heading 'For Orders'
under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to remove
the defects, as pointed out by the Office, within a period of four
weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case instituted for the
offences under Section 392 of the Indian Penal Code.

Prosecution allegation, in short, is that that while the
informant was going to his village, accused persons took away the
bag containing cash amount of Rs. three lakhs thirty thousand rupees
and also mobile.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.06.2020 and has got no criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of confessional statement of co-accused. Rs. 50,000/- is said to have been recovered from the house of the petitioner. The said money has not been put on T.I.P. to ascertain whether the same is looted money or not. The petitioner has not been put on T.I.P. to ascertain his participation in the alleged occurrence.

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, it is directed that 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 learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 141 of 2020, G.R. No. 873 of 2020.

Pankaj/-

(Sudhir Singh, J)

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