

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16788 of 2021

Arising Out of PS. Case No.-285 Year-2020 Thana- KORHA District- Katihar

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1. MD. SAHIL @ MD. SAHIL ANWAR S/O MD. MURSHID ALAM R/o village- Mahiyarpur, P.S.- Manihari, District- Katihar
 2. Sk. Sajjad S/o Shekh Saiyad
 3. Sk. Azad both R/o village- Kutubpur, P.S.- Manihari, District- Katihar
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ganesh Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-08-2021 Heard the parties through virtual court proceedings.

Learned counsel for the petitioners undertakes to remove the defects within three weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners seek bail in a case registered for the offence punishable under Section 379 of the Indian Penal Code.

As per the FIR, when the informant woke up early morning of 20.06.2020, he found that his motorcycle is not standing in the courtyard. On search, motorcycle of the informant cannot be traced out.

Learned counsel for the petitioners submits that



petitioners are innocent, not named in the FIR and have been falsely implicated in this case. During course of investigation, name of the petitioners have come in this case on the basis of confessional statement of co-accused who was driving the motorcycle. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioners. He submits that similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 15305 of 2021 on 06.08.2021. He further submits that petitioners bear one criminal antecedent as stated in para-3 of the bail application and they are languishing in judicial custody since 26.06.2020.

Considering the facts and circumstances of the case and the fact that similarly situated co-accused has been granted bail, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Korha P.S. Case No. 285 of 2020.

devendra/-

(Anjani Kumar Sharan, J)

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