

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26028 of 2021

Arising Out of PS. Case No.-221 Year-2019 Thana- AMDABAD District- Katihar

MISTER ALAM @ SK MISTER S/o Hamul @ Md. Halim R/o village-
Bairiya, P.S.- Amdabad, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-09-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four 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 petitioner seeks bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

While the informant along with his friend Raj Kumar Mandal was going to his house from the State Bank of India, Manihari Branch and when they reached near Katta Bridge, in the meantime, three persons intercepted him by one new blue coloured Apache motorcycle and snatched his bag and



pushed them as a result they fell down and the bag containing Dell laptop, Rs.20,000/- cash, one ATM swap machine, Adhar Card, PAN card.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. The F.I.R. is against unknown. He is quite innocent and has been falsely implicated in this case on the confessional statement of co-accused, Md. Kalam. He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused, Md. Kalam which has no evidentiary value in the eye of law.. The petitioner has one criminal antecedent and has been languishing in custody since 18.06.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) 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 Amdabad P.S. Case No.221 of 2019.

(Anjani Kumar Sharan, J)

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