

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27255 of 2021**

Arising Out of PS. Case No.-502 Year-2019 Thana- SHERGHATI District- Gaya

RIZU KHAN @ RIZWAN KHAN S/o Md. Taukir Khan R/o village-
Aminabad, P.S.- Sherghati, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath- Advocate

For the Opposite Party/s : Ms. Asha Devi- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 23-11-2021 A supplementary affidavit has been filed on behalf of
the petitioner, let the same be kept on record.

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

The petitioner seeks bail in connection with Sherghati
P. S. Case No.502 of 2019, instituted for the offences under
Sections 392 of the Indian Penal Code.

The petitioner is in custody since 16.01.2020 and
charge-sheet has been submitted in this case.

From bare perusal of the allegation as alleged in the
F.I.R., it would manifest that the informant has alleged that he is
an employee of Bharat Micro Finance and on 25.10.2019, when
he was returning after the collection of the money in the way at
about 11.15 A.M., two persons riding on a black motorcycle



stopped him and by showing pistol they snatched his bag containing Rs.96,001/-, mobile phone, a Samsung tablet and his purse in which there were ATM card, Pan card, Aadhar Card and a photocopy of Adhar card signed by him.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and his name has come based on confessional statement made in connection with Sherghati P. S. Case No.543 of 2019 in which the petitioner was arrested and where he confessed his guilt in the present case. Nothing has been recovered from the possession of this petitioner based on his confessional statement rather the recovery has been made from the house of brother-in-law of Kaushar Khan.

Learned counsel for the petitioner further submits that till date, the petitioner has not been put on T. I. Parade and he has been falsely implicated in this case merely because he has criminal antecedents as mentioned in Para-3 of the petition and the supplementary affidavit.

Considering the fact that petitioner is not named in the F.I.R. and his name has transpired based on his own confessional statement in Sherghati P. S. Case No.543 of 2019 and that nothing has been recovered from his possession and



charge-sheet has been submitted in this case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Sherghati P. S. Case No.502 of 2019.

The application stands allowed.

(Satyavrat Verma, J)

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