

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26502 of 2021

Arising Out of PS. Case No.-456 Year-2018 Thana- CHANPATIA District- West Champaran

TABREJ ALAM S/O MURTUZA MIAN R/o village- Barwa Chap, P.S.-
Chanpatia, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-07-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 394 of the Indian Penal Code.

As per the prosecution case, four unknown miscreants came on two motor cycles and intercepted the informant at a lonely place and looted away bag of the money collected from the shopkeepers on gun point and fled away.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. The name of petitioner has come in this case during the course of investigation on the basis of confessional statement of co-accused, Jakir Mian, who has already been granted bail by this court vide order dated 28.03.2019 passed in Cr. Misc. No. 18946/2019 (Annexure-2). No incriminating article has been



recovered from the possession of the petitioner. Till date no Test Identification Parade has been carried out. Petitioner is in custody since 15.10.2019.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-V, West Champaran, Bettiah in connection with Chanpatia PS case No. 456/2018 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

BKS/-

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(Prabhat Kumar Singh, J)

