

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27347 of 2021

Arising Out of PS. Case No.-177 Year-2019 Thana- AMAS 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 : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 25-11-2021 A supplementary affidavit has been filed on behalf of
the petitioner, let it be kept on record.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Amas P.S. Case No. 177 of 2019 instituted for the offences under
Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 26.02.2020, charge-sheet has been
submitted in the case and he has been implicated in the present
case based on his criminal antecedent as mentioned in paragraph
'3' of the bail application and supplementary affidavit.

Learned counsel for the petitioner submits that
allegation is of snatching mobile, cash and looting motorcycle of
the informant. Further, the informant in the F.I.R. has specifically
alleged that he can identify the accused persons.



Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. and he is in custody since 26.02.2020 but till date the petitioner has not been put on test identification parade when the informant has specifically stated in the F.I.R. that he can identify the accused persons.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that the petitioner has got criminal antecedents.

Considering the fact that the petitioner is in custody since 26.02.2020, charge-sheet has been submitted in the case and till date no test identification parade has taken place, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Amas P.S. Case No. 177 of 2019 subject to the condition as laid down under Section 437 (3) Cr.P.C. with a condition that one of the bailor shall be the father and in the event the petitioner, after trial commences, does not appear on two consecutive dates, the learned court below shall proceed to cancel his bail bonds.

(Satyavrat Verma, J)

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