

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32689 of 2021

Arising Out of PS. Case No.-817 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

MD ASHRAF @ MD ASRAF S/O LATE MD JABIR R/o village- Majhaulia,
P.S.- Sadar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Adv

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-07-2021 Heard Mr. Chandra Shekhar Anand, learned counsel
for the petitioner and Mr. Ganesh Pd. Singh, Additional Public
Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with
Muzaffarpur Sadar PS Case No. 817/2019 registered for the
offence punishable under Sections 457, 380 of the IPC.

This is the second attempt for bail made on behalf of
petitioner inasmuch as earlier bail application of the petitioner
was rejected *vide* Cr. Misc. No. 23927/2020 dated 11.11.2020
(Annexure-1) with liberty to renew his prayer for bail after four
months.

The allegation against the petitioner, as per First
Information Report, is that some unknown miscreants entered
into the house of the informant and took away cash, jewelry,



mobile phones etc. The name of the petitioner has transpired on the basis of confessional statement of a co-accused, namely, Md. Ashif.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and no incriminating or looted article has been recovered from the possession of the petitioner. Learned counsel next submits that petitioner having no criminal antecedents is in custody since 20.02.2020 and the charge-sheet, in the matter, has already been submitted.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner having no criminal antecedents is in custody since 20.02.2020, the charge-sheet, in the matter, has already been submitted and this is the second attempt for bail by the petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, MD ASHRAF @ MD ASRAF 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 Ms. Swati Dubey, learned Judicial Magistrate 1st Class, Muzaffarpur/concerned court in connection with Muzaffarpur Sadar PS Case No. 817/2019.



It is made clear that at the time of furnishing bail bonds all the parties shall follow the covid protocol like social/physical distancing and sporting masks.

(Anil Kumar Sinha, J)

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