

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.26543 of 2020**

Arising Out of PS. Case No.-400 Year-2019 Thana- SITAMARHI District- Sitamarhi

NASIM NADAF Son of Sameem Nadaf Resident of Village- Husna Pokar,  
P.S.- Sitamarhi, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Sakir Ahmad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA  
ORAL ORDER**

4      08-01-2021                      Heard Mr. Pushpendra Kumar Singh, learned  
counsel for the petitioner and Mr. Sakir Ahmad, learned  
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with  
Sitamarhi P.S. Case No. 400 of 2019 registered for the offences  
punishable under Section 394 of the Indian Penal Code.

The allegation as per the First Information Report is  
that the Motorcycle of the informant was intercepted by two co-  
accused persons who snatched the Motorcycle and other articles  
kept in the dickey of the Motorcycle. They also snatched money  
from the informant and upon protest by the informant, one  
unknown co-accused person fired upon him, due to which, he  
sustained injury in his stomach.

Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case on the basis of confessional statement made by the co-accused Md. Hasim Laheri. Learned counsel further submits that the petitioner was arrested in Sitamarhi P.S. Case No. 522 of 2019 and, thereafter, he has been remanded in the present case on the basis of confessional statement of Md. Hasim Laheri. Learned counsel also submits that no incriminating or looted article has been recovered from possession of the petitioner. The petitioner is in custody since 09.12.2019 and no Test Identification Parade has been done by the Police as yet. Learned counsel next submits that there is no apprehension that the petitioner will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that petitioner is in custody since 09.12.2019 and charge sheet has already been submitted as well as there is no apprehension that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in



connection with Sitamarhi P.S. Case No. 400 of 2019.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

**(Anil Kumar Sinha, J)**

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