

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36903 of 2021

Arising Out of PS. Case No.-1115 Year-2019 Thana- ARARIA District- Araria

MD RAQUIB @ RAKIB Son of Akimuddin Resident of Village -
Bageshwari, P.S.- Jokihat, Distt.- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-08-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Araria Police Station Case No. 1115 of 2019, registered for the
offences punishable under Section 494 of the Indian Penal
Code.

This is the second attempt on behalf of the petitioner
for grant of regular bail. Earlier, the prayer for regular bail of the
petitioner was rejected by this Court, vide order, dated
13.11.2020, passed in Criminal Misc. No. 22087 of 2020, giving
liberty to the petitioner to renew his prayer for bail after six
months from the date of the order.

The prosecution story, as per the First Information
Report, is that the informant, along with his brother, after



withdrawing the money from the bank were returning to their village on a motorcycle and when they reached near Belwa bridge crossing, Turkauliya Road, between 4:45 PM to 6 PM, two motorcycle borne criminals intercepted the motorcycle of the informant, which was being driven by his brother and on the gun point, snatched a total sum of Rs. 3,62,000/- from the bag and pocket of the informant.

Learned Counsel for the petitioner submits that the petitioner is not named in the First Information Report and he has been made accused in this case on the basis of call details report and self-inculpatory statement made by the petitioner. He further submits that no incriminating material has been recovered from the conscious possession of the petitioner and the petitioner has not been put on Test Identification Parade. He further submits that the petitioner is in custody since 12.02.2020 and charge sheet has already been submitted in this case and as such, there is no likelihood of the petitioner being abscond or tamper with the evidence.

Regard being had to the submission advanced on behalf of the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 12.02.2020, charge sheet has been submitted in this case, the



trial is not likely to be concluded in near future due to COVID-19 pandemic and this the second attempt on behalf of the petitioner for grant of regular bail, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Araria Police Station Case No. 1115 of 2019.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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