

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40958 of 2021**

Arising Out of PS. Case No.-41 Year-2021 Thana- PRANPUR District- Katihar

Md. Shafiqul @ Safikul @ Safikul Haque Son of Abdul Khalique Resident of
Village- Manik Nagar, P.S.- Pranpur (Roshna O.P.), District- Katihar
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Arun Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 22-10-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Pranpur (Roshna OP) P.S.
Case No. 41 of 2021, registered for the offence punishable
under Sections 395, 397 of the Indian Penal Code.

As per the prosecution case, 05 miscreants riding on
02 motorcycles intercepted the informant and looted cash of Rs.
2.4 lakh from his possession and when he protested, one of them
fired causing injury to him.

It is submitted on behalf of the petitioner that
petitioner is not named in the FIR. During course of
investigation, name of this petitioner has come in this case. It is
alleged that some looted money was recovered from the house
of petitioner on the disclosure of co-accused Basiruddin @ Bisu.



It is submitted that it is an error of record that looted money has been recovered from the house of this petitioner on the disclosure of co-accused Basiruddin. Petitioner has not been put on test identification parade till date and recovered money was also not put on TIP till date. Petitioner is in custody since 17.03.2021. Investigation is complete.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate Ist I/C, Katihar in connection with Pranpur (Roshna OP) P.S. Case No. 41 of 2021, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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