

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40446 of 2020

Arising Out of PS. Case No.-991 Year-2019 Thana- FORBESGANJ District- Araria

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AZAM @ MD. AZAM son of Haroon Resident of Village- Kharaiya Basti,
Ward No. 11, P.S. and District- Araria Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-03-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Forbesganj P.S. Case No. 991 of 2019, registered for the offence punishable under Section 394 of the Indian Penal Code.

The allegation, as per the First Information Report, is that the informant was intercepted by three unknown motorcycle borne offenders and they snatched mobile phone, a sum of Rs. 1,000/- and one silver chain from the informant.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he is not named in the First Information Report. He next submits that co-accused Rahbar was arrested by the police, who, in his confessional statement, disclosed the name of the petitioner and the petitioner has been remanded in this case from Araria Police Station Case No. 309 of 2019. He next submits



that similarly situated co-accused, Salim, whose name was also disclosed by co-accused Rahbar, in his confessional statement, has been granted bail by co-ordinate Bench of this Court, vide order passed in Criminal Misc. No. 31500 of 2020. He also submits that no incriminating looted article has been recovered from the possession of the petitioner. He next submits that the petitioner is in custody since 18.05.2020.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 18.05.2020 and similarly situated co-accused person has been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Forbesganj Police Station Case No. 991 of 2019.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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