

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39960 of 2020

Arising Out of PS. Case No.-94 Year-2020 Thana- ABADPUR District- Katihar

ABDUL SAMAD Son of Late Matiful, Resident of Village - Rampur, P.S.-
Azamnagar, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Chandra Patel
For the Opposite Party/s : Mrs.Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 392 of the Indian Penal
Code.

Prosecution case in brief is that on 30.06.2020 when
the informant was going to Basagaon and reached near
Dhumtola graveyard his motorcycle was stopped and an accused
pointed a pistol and threatened him to kill if raising alarm.
Other two accused persons snatched his bag containing
Rs.70,000/-, Laptop, Finger print machine and mobile phone.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner is not named in the
FIR. Only on suspicion and on the basis of own confessional



statement the petitioner has been made accused in this case. The occurrence took place on 30.06.2020 and FIR has been lodged on 31.08.2020 after lapse of two months. There is no any incriminating articles have been recovered from the possession of the petitioner only Rs.5200/- has been recovered from the house of the petitioner. There is no specific overt act against the petitioner and there is no T.I. Parade till date. From the place occurrence a broken black visor was recovered and the witness Khalid Alam stated in para 55 of the case diary that the petitioner got the visor replaced in this showroom on 02.09.2020. The said motorcycle was also recovered from the cattle house of the petitioner. The said motorcycle is belonged to petitioner's brother-in-law. The petitioner is languishing in judicial custody since 04.09.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in



connection with Abadpur P.S. Case No. 94/2020 to the
satisfaction of learned Court below where the case is pending.

(Anjani Kumar Sharan, J)

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