

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7758 of 2021

Arising Out of PS. Case No.-255 Year-2019 Thana- MINAPUR District- Muzaffarpur

MD. RIZWAN SON OF MD. SHAHZAD R/O VILLAGE- SADATPUR,
P.S.- KANTI, DIST.- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mazharul Hassan, Adv.

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-06-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Meenapur P.S. Case No.255 of 2019 registered for the offence punishable under Section 392 of the Indian Penal Code.

The prosecution case, in short is that while the informant was returning to home on an auto rickshaw, a



white Maruti car stopped in front of that Auto rickshaw. One occupant of that car came near the auto and said that Bada-Babu is calling. The informant along with driver came before him. The occupants of the car took several articles, mobile phone of the informant and driver as well as gold ring.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has been falsely implicated in the present case. The date of occurrence is of 31.5.2019 while the F.I.R. was lodged on 02.06.2019 and no explanation of such delay is given. He is neither named in the F.I.R. nor was apprehended on the spot. It is crystal clear from the F.I.R. that the F.I.R. was lodged against unknown and after one year three months, police arrested the petitioner and in seizure list he stated that petitioner was using the sim of the looted mobile phone. The petitioner has no criminal antecedent and has been languishing in custody since 09.09.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid and the period of custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/-



(Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 8th Additional Sessions Judge, Muzaffarpur in connection with Meenapur P.S. Case No.255 of 2019.

(Anjani Kumar Sharan, J)

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