

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8554 of 2022**

Arising Out of PS. Case No.-55 Year-2021 Thana- GOPALPUR District- West Champaran

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Jafir Miya S/o Akhtar Miya R/o village- Jhumka, P.S.- Sikta, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhagya Narayan Jha

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 07-06-2022 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Gopalpur P.S. Case No. 55 of 2021 registered for the offence under Section 394 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and is in custody since 20.05.2021.

As per the prosecution case, some miscreants assaulted the informant and took away cash and other valuables



of the informant.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of confessional statement made by co-accused. It is further submitted that nothing incriminating has been recovered from the physical possession of the petitioner. It is further submitted that petitioner has been made accused in other two cases after lodging of the present case. While arguing over the matter, it is further submitted that one co-accused, namely, Nasruddin Alam, has already been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 29.04.2022 passed in Cr. Misc. No. 63461 of 2021.

Learned APP appearing on behalf of the State fairly conceded that the name of the accused/petitioner surfaced on the basis of confessional statement made by co-accused.

Considering the facts and circumstances as mentioned above and as nothing incriminating has been recovered from the physical possession of the petitioner coupled with the fact that one co-accused, namely, Nasruddin Alam, has already been granted bail by a Co-ordinate Bench of this Hon'ble Court, let the petitioner, above named, is directed to be released on bail in connection with Gopalpur P.S. Case No. 55 of 2021 on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, West Champaran, Bettiah, subject to the following condition:

“That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

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