

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20656 of 2021

Arising Out of PS. Case No.-87 Year-2020 Thana- HABIBPUR District- Bhagalpur

MD ALI SON OF MD. ISRAIL RESIDENT OF BANDU MODI LANE,
HUSSAINABAD, WARD NO. 44, P.S. BABARGANJ, DISTRICT-
BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manendra Kumar Sinha

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 09-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Habibpur P.S. Case no. 87 of 2020 instituted for the offence under Section 394 of the Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, informant has seen an advertisement for sale of camera on face book and agreed to purchase the same at the cost of Rs. 20,000/- . He talked to a person, namely, Raj Romi, whose contact was given on advertisement. He fixed a venue to meet. Informant went at that place for purchasing the camera on cash. In the meantime, two



persons came there on red colour Glamour motorcycle and on point of pistol, they snatched cash amount of Rs. 20,000/- and his mobile phone and fled away from there.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. The name of the petitioner has been disclosed in this case by the co-accused, namely, Raj Romi before the police, which has no evidentiary value in the eye of law. Save and Except confessional statement, there is nothing against the petitioner.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Habibpur P.S. Case no. 87 of 2020, he will be enlarged on bail 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 Chief Judicial Magistrate IX, Bhagalpur subject to the conditions as laid down



under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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