

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10377 of 2022**

Arising Out of PS. Case No.-301 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

Matiur Rahman Son of Bahrudin @ Baharuddin Resident of Village-
Pothimari Jagir, P.S.- Kochadhaman, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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

2 13-06-2022 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
Kochadhaman P.S. Case No. 301 of 2021 registered for the
offence under Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 08.11.2021.

The allegation against the petitioner is to commit
robbery alongwith other co-accused persons and while
committing so, taken away Rs. 1,30,968/- (Rupees One Lakh
Thirty Thousand Nine Hundred Sixty Eight) in cash alongwith
other valuables.

Learned counsel appearing on behalf of the petitioner



submitted that the petitioner has been falsely implicated in the present case being the father of named co-accused, namely, Don, who is a man of criminal background. It has further been submitted that petitioner lodged a complaint case bearing Complaint Case No. 699 of 2019 before the Court of Chief Judicial Magistrate, Kochadhaman, District- Kishanganj in which the police officers arrayed as parties. While arguing over the matter, it has further been submitted that as per seizure list, the recovery of cell phone and cash of Rs.11,000/- (Rupees Eleven Thousand) is in no way connected with the petitioner. While concluding the argument, it has further been submitted that petitioner is a man of clean antecedent and also chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that petitioner is in inimical terms with police.

Considering the facts and circumstances as mentioned above, as there is nothing on record which may connect the petitioner with the recovered cash as alleged coupled with the fact that petitioner is a man of clean antecedent, let the petitioner, above named, is directed to be released on bail in



connection with Kochadhaman P.S. Case No. 301 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 Chief Judicial Magistrate, Kishanganj, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be properly represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(ii) That one of the bailors shall be the close relative of the accused/petitioner.

(Chandra Shekhar Jha, J)

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