

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13348 of 2022

Arising Out of PS. Case No.-308 Year-2020 Thana- AAJAM NAGAR District- Katihar

MD. SAIFUL S/o Shekh Irshad R/o village- Baluwa Tola (Palsa), P.S.-
Azamnagar, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner seeks regular bail in connection with
Azamnagar P.S. Case No. 308 of 2020, for the offence
punishable under Section 392 of the Indian Penal Code.

The prosecution case, in brief, is that four accused
persons, on the point of arms, snatched the bag of the informant
containing Laptop, Rs. 1,50,000/ ect. F.I.R. is against unknown.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that petitioner is not
named in the F.I.R. and till date he has not been put on T.I.P.
The name of the petitioner surfaced in the present case on the



basis of his confessional statement, while he was in Police custody in connection with Azamnagar P.S. Case No. 251 of 2021. The confessional statement made before the Police custody has no evidentiary value. Nothing incriminate material has been recovered from the possession of the petitioner nor the motorcycle belongs to the petitioners.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Having perused the allegation made in the F.I.R. it appears that F.I.R. has been registered against four unknown miscreants. The petitioner has been implicated in the present case on the basis of his confessional statement made in Police custody, while he was apprehended in connection with Azamnagar P.S. Case No. 251 of 2021. There is no allegation of tampering of evidence or influencing the witnesses and the trial is also not likely to be concluded in near future. The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Katihar in connection with Azamnagar P.S. Case No. 308 of 2020, subject to the following conditions:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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