

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33716 of 2021

Arising Out of PS. Case No.-247 Year-2019 Thana- SITAMARHI District- Sitamarhi

NASIM NADAPH @ NASIM NADAF Son of Late Shamim Nadaf @ Late
Md. Sameem Nadaf Resident of Village - Husaina Pokhar @ Husna Pokar,
P.S.- Sitamarhi, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 07-03-2022 Heard Mr. Alok Kumar Alok, learned counsel for
the petitioner and Mr. Manoj Kumar, learned Additional Public
Prosecutor for the State.

Petitioner seeks regular bail in connection with
Sitamarhi PS Case No. 247/2019 registered for the offence
punishable under Section 392 of the IPC.

As per First Information Report, three unknown
miscreants accosted the informant and snatched his motorcycle,
cash of Rs. 15,000/- and other articles.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR and he has falsely been
implicated in this case on the basis of a confessional statement
made by co-accused. Learned counsel further submits that no



incriminating and or looted article has been recovered from the possession of the petitioner and the petitioner has not been put on TIP and despite this fact, he is in custody since 03.01.2020 i.e., for more than two years.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody for more than two years, no incriminating and or looted article has been recovered from the possession of the petitioner, he has been made accused on the basis of confessional statement of a co-accused, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, NASIM NADAPH @ NASIM NADAF be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate-I/C, Sitamarhi/ the court concerned in connection with Sitamarhi PS Case No. 247/2019.

(Anil Kumar Sinha, J)

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