

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35202 of 2021

Arising Out of PS. Case No.-287 Year-2020 Thana- KOCHADHAMAN District- Kishanganj

SARWAR Son of Tazimul @ Tajammul Resident of village - Sahriya, P.S.
Rauta, District - Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 22-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Kochadhaman Police Station Case No. 287 of 2020, registered
for the offence punishable under Section 395 of the Indian Penal
Code.

The prosecution case as per the First Information
Report is that in the night of 24.11.2020, 8-10 unknown persons
entered into the courtyard of the informant and snatched / looted
away golden ear rings, silver chain and Rs. 5000/- in cash, etc.
and while fleeing the accused persons told that “Matin bhago
bhago”.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on the basis of



confessional statement of the co-accused / Md. Matin and he is in custody since 12/01/2021. He further submits that except the confessional statement, there is no other material against the petitioner. He further submits that no looted article has been recovered from the possession of the petitioner and the petitioner has not been put on Test Identification Parade by the police as yet. He next submits that the co-accused / Md. Salim @ Salem @ Salim has been granted bail by this court in Cr. Misc. No. 38880 / 2021.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record, the fact that charge sheet has already been submitted, no incriminating material has been recovered from the possession of the petitioner, the petitioner is in custody since 12-1-2021 and similarly situated co-accused has been granted bail by this court , as such, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, 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, Kishanganj in connection



with Kochadhaman Police Station Case No. 287 of 2020.

This is subject to the condition that the petitioner shall present himself before the Court as and when required and in event of failure on his part to appear before the Court on two consecutive occasions his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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