

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37186 of 2021

Arising Out of PS. Case No.-32 Year-2020 Thana- BARSOI District- Katihar

MD. DANIS @ DANIS S/o Md. Mojibur Rahman R/o Village- Singhiya
Shitalpur Onkar, P.S.- Barsaoi, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Qumrul Hoda, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

The petitioner apprehends his arrest in a case registered for the offences under Sections 395 and 397 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case in which he is on bail and the informant alleges that on 06.03.2020 at 2:30 am his co-villager Jay Prakash Sah @ Nanki came at the door of his house and requested to open the door and as soon as the informant opened the door suddenly 10-15 unknown criminals entered his house and started assaulting, it is next alleged that criminals also looted ornaments of his wife and daughter-in-law worth Rs. 80,000/- and cash amount of Rs. 80-90 thousand was also



looted, it is further alleged that the criminals had covered their face by clothes. Further, Jay Prakash disclosed that 10-15 criminals had come to his house also and looted ornaments worth Rs. 60-70 thousand and assaulted his son.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, F.I.R. was against unknown and name of this petitioner transpired in the confessional statement of co-accused Md. Hashim which has no evidentiary value in the eyes of law. It is further submitted that petitioner is a regular employee of S.P. Project Private Limited, Hyderabad (Building Construction) for three years and on the alleged date of occurrence he was in Hyderabad as would be evident from the Muster Card of the petitioner provided by the concerned official of the aforesaid S.P. Project Private Limited (Annexure -2 series to the present anticipatory bail application). Learned counsel further submits that except for confessional statement, there is nothing in the investigation which could even remotely connect the petitioner with the offence.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned



counsel for the petitioner and also taking into consideration Annexure-2 to the anticipatory bail application, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Barsoi (Sudhani O.P.) P.S. Case No. 32 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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