

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38716 of 2021

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

MAHMOOD @ KARIA @ MAHMOOD ALAM Son of Md. Taiyab Resident
of Village - Dalmalpur, P.S.- Amour, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh

For the Opposite Party/s : Ms.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-01-2022 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 offences 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, Karia,*
bhago bhago”.

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



the confessional statement recorded in Bahadurganj Police Station Case No. 343 of 2020 and he has been remanded in this case on 08.01.2021 and his confessional statement was also recorded by the police. He further submits that except the confessional statements, there is no other materials against the petitioner. He further submits that no looted articles 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.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that charge sheet has already been submitted, no incriminating material has been recovered from the possession of the petitioner and the petitioner is in custody since 08.01.2021, 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 the 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.)

Prabhakar Anand/-

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