

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37634 of 2022

Arising Out of PS. Case No.-113 Year-2021 Thana- CHANPATIA District- West Champaran

Imtiaz Alam Son of Late Salim Mian Resident of village- Mahnakuli, P.S.-
Chanpatia, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 17-10-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Chanpatiya (Kumarbagh O.P.) P.S. Case No. 113 of 2021,
lodged under Section 394 of the Indian Penal Code.

As per prosecution case, the allegation of *dacoity* is
there in the F.I.R. against 3 unknown persons and the
informant has claimed in the F.I.R. that he shall identify the
accused persons.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He

further submits that nothing has been recovered from the possession of petitioner. He also submits that T.I.P. has not been made in this case. Learned counsel for the petitioner further submits that petitioner is in custody since 05.07.2022 and charge sheet has been filed in this case. He further submits that petitioner has criminal antecedent but he is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail and submits that counsel for the petitioner has filed supplementary affidavit, in which he has submitted the antecedent report of petitioner and the antecedent report indicates, that the case of theft, robbery or *dacoity* are there against the petitioner. He further submits that the informant has also claimed that he can identify the accused persons, in this circumstances bail may not be granted to the petitioner and a direction may be given to conduct the T.I.P. in this case.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, but liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge. The prosecution is also directed to conduct the

T.I.P. in this case.

With this observation, the bail application stands
rejected.

(Dr. Anshuman, J.)

ritik/-

U		T	
---	--	---	--