

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37419 of 2022

Arising Out of PS. Case No.-70 Year-2022 Thana- AMARPUR District- Banka

MD. SARIK S/O MD. ABBAS Resident of village- Douna, P.S.- Sahkund,
District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwary

For the Opposite Party/s : Mr. Uma Nath Mishra A.P.P

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-09-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered under section 394 of the Indian Penal Code.

As per the prosecution case, two miscreants stopped the vehicle of the informant and assaulted him with the butt of pistol and took away his a mobile phone, a purse containing Rs. 8,000, four ATM Cards, Pan Card, Driving License and Aadhar Card etc. They were joined by two more miscreants who



assaulted the labourers sitting on the pickup van of the informant.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case on account of mere suspicion. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R, the name of the petitioner has sprung up during the course of investigation. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 29.08.2022 passed in Criminal. Misc. No. 28911 of 2022. The petitioner is accused in two other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 18.02.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Banka in connection with Amarpur P.S. Case No. 70 of 2022, with a condition:-

1. The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the prosecution will be at liberty to move for cancellation
of his bail bond .

The application stands allowed.

(Chandra Prakash Singh, J)

shobhakri/-

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

