

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38795 of 2022

Arising Out of PS. Case No.-191 Year-2019 Thana- AMAUR District- Purnia

Md. Zahid S/O Shafique Kardar @ Shafique @ Md. Safique resident of
village- chakai, p.s.- Joki Hat, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Amour
P.S. Case No. 191 of 2019 registered for the offence under
Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 14.05.2022.

The allegation against the petitioner is to commit
robbery and, while committing so, taken away cash of Rs.
1,12,058/- along with B.T. printer and certain important
personal documents related with bank etc., along with other co-



accused persons.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of confessional statement of one co-accused, namely, Md. Ekram @ Sanichara, who has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 24914 of 2020 vide order dated 07.12.2020. It is further submitted that in furtherance of said confessional statement of co-accused, Md. Ekram, nothing incriminating surfaced/recovered during the course of investigation, which may connect this petitioner with present set of robbery. It is also submitted that petitioner was not put on TIP, as yet. While concluding the argument, it is submitted that investigation in this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner is not named in the FIR.

Considering the facts and circumstances as mentioned above, as nothing incriminating surfaced/recovered, during the course of investigation, to connect this petitioner with present occurrence, in furtherance of confessional statement of co-



accused coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Amour P.S. Case No. 191 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea/concerned court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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

