

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44491 of 2022**

Arising Out of PS. Case No.-83 Year-2022 Thana- AAJAM NAGAR District- Katihar

Md. Hasan Son of Sk. Sattar Ali Resident of Sahjan Porola, P.S- Ajamnagar,
Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

3 23-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

In the present case, the petitioner seeks bail in connection with Ajamnagar (Salmari O.P.) P.S. Case No. 83 of 2022 registered for the alleged offences under Section 394 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, three unknown miscreants fired upon the informant and looted her scooty in which she has kept Rs.50,000/-, original documents of the scooty and her mobile phone. The name of the petitioner transpired during investigation as one of the accused persons involved in the alleged occurrence.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. Nothing incriminating has been recovered from the conscious possession of this petitioner. The petitioner has not been put to the Test Identification Parade. The petitioner has been named in this case on the basis of confessional statement of co-accused Md. Dilkhush otherwise there is no material available on record against the petitioner. The petitioner is in custody since 07.04.2022 and charge-sheet has been submitted. The petitioner has got clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and further considering his period of custody and the submission of charge-sheet along with his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Ajamnagar (Salmari O.P.) P.S. Case No. 83 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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