

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54843 of 2021

Arising Out of PS. Case No.-302 Year-2020 Thana- RAGHOPUR District- Supaul

MD. SALMAN @ MD. SALAM SON OF MD. ZUBER @ ZUBER MIYA
R/O VILLAGE- SIMRAHI, POLICE STATION RAGHOPUR AND
DISTRICT- SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Verma

For the Opposite Party/s : Mr.Anant Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

The petitioner seeks regular bail in connection with
Raghopur Police Station Case No. 302 of 2020 registered for the
offence punishable under Section 392 of the Indian Penal Code
1860.

As per the prosecution case, the informant was
surrounded and assaulted by three miscreants, who looted a sum
of Rs. 80,000/-, driving license, golden chain etc. from the
informant, on gun point.

Learned Counsel for the petitioner submits that the
petitioner has been implicated in this case on the basis of his self
inculpatory statement as well as on the basis of confessional



statement made by the co-accused Kundan Kumar Choudhary. He further submits that no incriminating article has been recovered from possession of the petitioner and he has not been put on Test Identification Parade. He next submits that co-accused persons, namely, Kundan Kumar Choudhary (vide order, dated 20.01.2022, passed in Criminal Misc. No. 41325 of 2021) and Randhir Kumar Roy (vide order, dated 22.04.2022, passed in Criminal Misc. No. 52166 of 2021) have been granted bail by this Court. He further submits that the petitioner is in custody since 13.04.2021.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 13.04.2021 and similarly situated co-accused persons have been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on regular bail, on furnishing bail bonds of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Birpur, in connection with Raghapur Police Station Case No.302 of 2020 subject to the conditions that the bailors should



be local having sufficient immovable property within the jurisdiction of the court concerned, the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and if the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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