

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54617 of 2021

Arising Out of PS. Case No.-96 Year-2021 Thana- TATARPUR District- Bhagalpur

Md. Badshah, Son Of Md. Bhola R/O Mohalla/Village- Kotwali Choak,
Sujaganj Masjid Gali, Chand Bhangra Band Party, P.S.- Kotwali (Jagdishpur),
District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajeev Nayan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-02-2022 Heard learned counsel for the petitioner and Shri
Rajeev Nayan, learned A.P.P. for the State through virtual court
proceedings.

The petitioner seeks bail in connection with Tatarpur
P.S. Case No. 96 of 2021 instituted for the offences under
Sections 392 and 411 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 01.06.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the
informant alleges that he was taking breakfast near Dokaniya
Dharamshala when he was asked by an unknown person to
come in the Dharamshala and when the informant went to



Dharamshala, two boys came and assaulted him and snatched his silver chain and Rs. 830/-, on which *hulla* was raised and police came and arrested the accused persons who disclosed their name as Kiran, petitioner and Abdul Noor and from Kiran a chain was recovered, from petitioner Rs. 330/- was recovered and from Abdul Noor Rs. 500/- was recovered.

Learned counsel for the petitioner submits that from bare perusal of the allegation and the recovery it would manifest that the petitioner has been falsely implicated because the allegation is of snatching of chain and Rs. 830/- from the informant and it does not stand to reason that within some minutes of the occurrence, the accused would have distributed the amount in such a way that the recovery would have tallied with the amount snatched.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 01.06.2021, is a person with clean antecedent and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-14th,



Bhagalpur in connection with Tatarpur P.S. Case No. 96 of
2021.

(Satyavrat Verma, J)

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