

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46894 of 2022**

Arising Out of PS. Case No.-217 Year-2019 Thana- SARAIYA District- Muzaffarpur

MD. SADDAB @ LADDAN @ LADDUA S/o- Md. Sabbir Alam R/o- Vill.-
Sahdani , P.S.- Saraiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 24-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

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

The petitioner seeks bail in connection with Saraiya
P.S. Case No. 217 of 2019 registered for the offence under
Section 395 fo the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 04.03.2022.

The allegation against the petitioner is to commit
dacoity, along with other co-accused persons, and while
committing so, taken away cash of Rs. 5,15,000/- (Rs. Five
Lakh Fifteen Thousand) belongs to the informant.

Learned counsel appearing on behalf of the petitioner



submitted that name of the petitioner surfaced on the basis of confessional statement of co-accused, namely, Vicky, infurtherance, no incriminating material was recovered from the possession of this petitioner, which may connect this petitioner with the present set of dacoity. It is submitted that petitioner was not put on TIP, as yet. It is further submitted that petitioner found involved in six (6) more cases, where he is on bail in 5 cases, where name of petitioner surfaced in maximum of cases on the basis of confessional statement, as of present case. 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 appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as no incriminating material recovered/surfaced, during the course of investigation, to connect this petitioner with the present set of occurrence/dacoity coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Saraiya P.S. Case No. 217 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 Additional Sessions Judge-XII, Muzaffarpur/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C with further condition:

“That Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the learned Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the learned Trial Court, only on medical ground of the petitioner duly supported by the documents.”

(Chandra Shekhar Jha, J)

R.S.Sen/-

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

