

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62443 of 2021

Arising Out of PS. Case No.-295 Year-2017 Thana- LAHERIMUHALLA District- Nalanda

MD. SIRAJ @ MD. SERAJ S/o Late Islam R/o Village - Chainpura, P.S. - Bihar Sharif, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-03-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the offences punishable under Sections 386, 427, 506, 341, 323, 120(B), 395 and 412 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 04.01.2021, charge-sheet has been submitted and has antecedent of eight cases.

The informant alleges that while he was resting in the house of Raj Kumar one Sultan Manjhi came to meet Raj Kumar along with his wife and one another person. Further, while the informant was talking with them 7-8 unknown accused entered the house and looted Rs.7,000/- from the



informant and tied him and locked the guests in a room and while leaving threatened that his owner had enough money but is not parting with the same and also said to inform the owner that he will have to pay the extortion money.

Learned counsel for the petitioner submits that petitioner has been falsely implicated merely because of his antecedent. The FIR was instituted against unknown and the name of this petitioner transpired in the confessional statement of Ajeet Kumar who has been granted bail by order dated 18.01.2018 in Cr. Misc. No. 60902 of 2017. It is, thus, submitted that once the accused, in whose confessional statement the name of the petitioner transpired, has been granted bail, the petitioner also deserves to be enlarged on bail.

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

Considering the fact that the petitioner is in custody, charge-sheet has been submitted and petitioner is not named in the FIR and his name transpired in the confessional statement of co-accused Ajeet Kumar, who has been granted bail, let the petitioner above named be released on bail on furnishing bail bond of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court



below where the case is pending in connection with Laheri P.S.
Case No. 295 of 2017, subject to the condition that one of the
bailors shall be the wife (Guriya Khatoon) of the petitioner.

(Satyavrat Verma, J)

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