

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62777 of 2021**

Arising Out of PS. Case No.-128 Year-2020 Thana- DEHRI TOWN District- Rohtas

SHAHJAD ALAM @ MISTER Son of Abdul Rajak Miyan @ Rajak Miyan
Resident of Bishunpura, Police Station - Sasaram, District - Rohtas at
Sasaram.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 09-05-2022 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 395 and 412 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 05.03.2020, charge-sheet has been
submitted and has antecedent of twelve cases. Learned counsel
further submits that petitioner is not a criminal, rather he has been
made a criminal by the police by making him accused in all the FIR
which was instituted against unknown.

The informant alleges that unknown criminal looted his
van loaded with 65 bags of potato along with Rs.6,000/- and one



mobile.

Learned counsel for the petitioner submits that the FIR was against unknown and the petitioner came to be arrested in Dehri Nagar P.S. Case No. 133 of 2020 where he was made to confess his participation in the present case also. Learned counsel further submits that despite petitioner being in custody he was not put on T.I. Parade nor any incriminating article was recovered from his possession and as far as his antecedent is concerned, in merely all the cases, the FIR was against unknown in which the petitioner was roped one after another by the police.

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 since 05.03.2020, charge-sheet has been submitted, was not put on T.I. Parade nor any incriminating article was recovered from the possession of the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Dehri Nagar P.S. Case No. 128 of 2020.

(Satyavrat Verma, J)

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