

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53966 of 2022

Arising Out of PS. Case No.-177 Year-2021 Thana- BELA District- Sitamarhi

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BABUJAN NADAF @ KALAM NADAF S/o Iliyas Nadaf R/o Village -
Betaha, P.S.- Bela, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned Counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner seeks bail in a case registered under
Sections 395, 397 of the Indian Penal Code and 27 of the Arms
Act and ¾ of the Explosive Substance Act.

Prosecution case, in short, is that eight unknown
miscreants entered into the house of the informant and assaulted
the wife and daughter-in-law of the informant and took away
Rs.1,30,000/- kept in the trunk and they also took away the
ornaments of the daughter-in-law of the informant.

It has been submitted on behalf of the petitioner that



the petitioner is in custody since 23.02.2022. Charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired in this case on his self confession made before the police. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. The petitioner has not been put on T.I.P. to ascertain his participation in the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is not named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 14th Additional Sessions Judge, Sitamarhi in connection with Sessions Trial No.213/2022 arising out of Bela P.S. case NO.177/2021.

Narendra/-

(Sudhir Singh, J)

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