

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66774 of 2021

Arising Out of PS. Case No.-409 Year-2021 Thana- BANKA District- Banka

MD SAZZAD Son of Md. Kalim Resident of Village- Karihara, P.S.- Barahat,
Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Banka
P.S. Case No. 409 of 2021 registered for the offences punishable
under Sections 395, 397 of the Indian Penal Code 1860 and
Section 3/4 of Explosive Substance Act.

The allegation, as per the First Information Report, is
that while the informant and one Vikash Sahi being staff of
Mahadev Enclave Pvt. Ltd. were issuing Challans for the truck
carrying sand, 5-6 miscreants wearing mask and having country
made pistols in their hands entered into the office and exploded
bomb at the door of the office and taken away Rs.10,00,000/-
kept in the boxes, and while fleeing, they resorted to firing also.

Learned counsel for the petitioner submits that the



petitioner has got no criminal antecedent and he has falsely been implicated in this case on the basis of confessional statement of co-accused Md. Kaishar. He further submits that the alleged recovery of Rs.9,000/- from the possession of the petitioner is the personal money of the petitioner which was kept in his house. The petitioner is in custody since 4.6.2021.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner has got no criminal antecedents, he is in custody since 4.6.2021, charge sheet has already been submitted, his name transpired on the basis of confessional statement of co-accused and self inculpatory statement of the petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 409/2021.

(Anil Kumar Sinha, J)

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