

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69562 of 2021

Arising Out of PS. Case No.-213 Year-2020 Thana- KOCHADHAMAN District- Kishanganj

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ARHAN AKHTER @ ARHAN @ MD. ARHAN AKHTER Son of Md. Junaid Akhtar Resident of village - Mahadeo Dighi, P.O.- Sontha, P.S.- Bahadurganj, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 27-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from today.

In the present case, the petitioner seeks bail in
connection with Kochadhaman P.S. Case No. 213 of 2020 (G.R.
No. 1455/2020) registered for the alleged offences under
Sections 392 and 411 of the Indian Penal Code.

The prosecution case is that the petitioner and other
co-accused persons looted Rs. 40,000/- and mobile phones from
the informant and his brother.

The learned counsel for the petitioner submits that the
petitioner was named by the co-accused and he was not



apprehended from the spot and nothing incriminating has been recovered from him. No Test Identification Parade has been conducted so far. The co-accused Md. Niaz Alam from whom recovery has been made and who named the petitioner for being an accomplice in the crime has been granted bail by a Coordinate Bench vide order dated 09.09.2021 passed in Criminal Misc. No. 24302 of 2021. The petitioner is in custody since 20.01.2022.

Learned A.P.P. for the State opposes the submissions made on behalf of the petitioner and submits that the co-accused was apprehended after chase and he named the petitioner.

Having regard to the submissions made hereinabove and considering the fact that the nothing appears to have come against this petitioner during investigation and further considering the period of custody, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kochadhaman P.S. Case No. 213 of 2020, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:



(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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