

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72507 of 2021

Arising Out of PS. Case No.-139 Year-2021 Thana- AMARPUR District- Banka

Md. Ismail, S/O Md. Jasim @ Jasim R/O Village- Nayatola Hasanpur, P.S.-
Amarpur, District- Banka

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda
For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in a case registered for the offences punishable under Section 395/ 412 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is in custody since 19.06.2021, charge-sheet has been submitted in the case and has antecedent of one case.

The learned counsel for the petitioner submits that the informant alleges that on 19.03.2021, he was going to Katihar by his truck carrying sand and when he reached near Dumrawa High School, he saw that some miscreants were committing loot from the truck driver on which the informant protested, but the miscreants looted a mobile and cash of Rs.1500/- from the



informant and when the police arrived, the miscreants fled away, but one of the accused was arrested, who disclosed his name as Vishal Kumar. Further, it was Vishal Kumar, who disclosed the name of other accused persons, who had fled including the petitioner.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. He was not arrested from the spot. His name came in the confessional statement, which has no evidentiary value. The petitioner was not put on T. I. Parade, nor any incriminating article was recovered from his possession and co-accused Md. Bechan @ Bechan has been granted bail by order dated 09.03.2022 in Cr. Misc. No.59193 of 2021.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case and was not arrested from the spot and his name came in the confessional statement of co-accused and co-accused has been granted bail, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum 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 Amarpur P. S. Case No.139 of 2021, subject to condition that one of the bailors shall be the father of the petitioner namely, Md. Jasim @ Jasim.

The application stands allowed.

(Satyavrat Verma, J)

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