

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1275 of 2022

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

MD. AFAZ S/o Md. Idrish @ Idrish R/o Village - Khadihara, P.S. - Barahat,
Dist.- Banka. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Adv.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with Banka PS Case No. 409/2021 registered for the offences punishable under sections 395, 397 of the IPC and section 3/4 of the Explosive Act.

The allegation, as per the FIR, 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 masks and having country made pistols in their hands entered into the office and exploded bomb at the door of the office and took away Rs. 10 Lacs kept in the boxes and while fleeing away, 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 disclosure of his name by one co-accused, Md. Shahrukh during course of investigation. Learned counsel further submits that the co-accused, Md.



Sazzad, from whose possession alleged recovery of Rs. 9,000/- was made, has been granted bail by this Court today itself *vide* Cr. Misc. No. 66774/2021. The petitioner is in custody since 04.06.2021 and the charge-sheet in the matter has been submitted.

Regards being hand to the submission advanced by the parties and taking into consideration the fact that the co-accused, Md. Sazzad has been granted bail by this Court, petitioner is in custody since 04.06.2021, the charge-sheet in the matter has been submitted and the petitioner has been implicated in this case on the basis of confessional statement of a co-accused, Md. Shahrukh, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, MD. AFAZ be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka PS Case No. 409/2021.

(Anil Kumar Sinha, J)

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