

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1560 of 2022

Arising Out of PS. Case No.-10 Year-2020 Thana- KURSAILA District- Katihar

=====

MD. KASHIM @ KASHIM @ MOJIM S/o Ulfat R/o Noornagar, P.S.-
Sanhaula, Distt.- Bhaglapur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-06-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 395 and 397 of the Indian Penal Code.

As per the prosecution case, three accused persons on the point of arms looted the informant of Rs.25,000/ in cash, his driver of Rs.7,000/, mobile phones besides other articles. Injury was caused as a result of the firing resorted to by the accused persons.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. Referring to the order of the learned court below, it is submitted that the name of



the petitioner transpired in the confessional statement of co-accused Naushad Madari as also the call detail report as mentioned in paragraph nos.82, 93 and 108 of the case diary. It is submitted that no incriminating material has transpired in course of investigation to connect the petitioner with the alleged crime nor any incriminating article has been recovered from the petitioner's possession. He is in custody since 6.2.2020. Charges have been framed in the learned trial court and Sessions Trial no.204 of 2021 is pending before the learned Sessions Judge, Katihar. It is submitted that Naushad Madari has been enlarged on bail.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the material on record, the petitioner not having been put on T.I. parade in course of investigation, grant of bail to co-accused Naushad Madari on whose confessional statement the name of the petitioner transpired together with the petitioner having remained in custody for over 2 years, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.204 of 2021 (arising out of Kursela P.S. Case no.10 of 2020) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Sessions Judge,
Katihar.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

