

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2880 of 2023

Arising Out of PS. Case No.-79 Year-2022 Thana- BALIYA District- Begusarai

Hussain Khalifa S/O Late Jay Kishan Khalifa Resident Of Village- Satti Chaura, P.S.- Balia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 395, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is that on pistol point he along with other co-accused persons committed dacoity.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of suspicion. Petitioner is neither arrested on the spot nor any incriminating and looted articles have been recovered from his conscious possession. It is further submitted that the petitioner is



not put of TIP. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 14.02.2023 passed in Cr. Misc. No. 39169 of 2022. The petitioner is languishing in judicial custody since 16.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Balia P.S. Case No. 79 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Begusarai.

(Sunil Kumar Panwar, J)

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