

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9539 of 2023

Arising Out of PS. Case No.-1157 Year-2019 Thana- FORBESGANJ District- Araria

MD. AJAM S/O ZIYAUAL MISTRI R/v- Rewahi, Khasdah, P.S.- Narpatganj,
District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Forbesganj P.S. Case no.1157 of 2019 registered under sections 395 and 397 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, as soon as the informant was ready to close down the branch of his Bank and proceed for home, it is stated that 8-10 accused persons variously armed entered the branch and started to assault the employees of the Bank. They took away various articles, details of which has been given in the F.I.R..

4. Learned counsel for the petitioner submits that the F.I.R. was registered against unknown. The name of the petitioner transpired in course of investigation and the statement of co-accused made before police. No incriminating article has



been recovered from the petitioner's possession who is in custody since 17.8.2022. Chargesheet has been submitted in the case.

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

6. Having heard learned counsel for the parties and having perused the material on record specially the F.I.R. as also the order of the learned trial Court rejecting the application for bail of the petitioner, it transpires that the F.I.R. was registered against unknown and the name of the petitioner transpired in the confessional statement of co-accused Manoj Yadav made before police. The said co-accused Manoj Yadav has been enlarged on bail vide order dated 9.5.2022 passed in Cr. Misc. no.48730 of 2021. No incriminating article has been recovered from the petitioner's possession who is in custody since 17.8.2022.

7. In the facts and circumstances of the case, the Court directs the petitioner to be enlarged on bail in connection with Forbesganj P.S. Case no.1157 of 2019 (G.R. no.4425 of 2019) 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 Chief Judicial Magistrate, Araria.

(Partha Sarthy, J)

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