

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13120 of 2023

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

Md. Tokeer @ Md. Taukir Son Of Md. Ibrahim Resident Of Village-
Kharihara, P.S.- Barahat, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mrs.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Banka P.S. Case No. 409 of 2021 registered under sections 395 and 397 of the Indian Penal Code and Section 3/4 of Explosive Substance Act.

The prosecution case in short, is that, while the informant along with one Vikash Shahi being staff of Mahadev Enclave Pvt. Ltd. at Shankarpur were issuing challans for the truck carrying sand and in the meantime, 5-6 miscreants wearing masks on their faces and having country-made pistols in their hands entered into the office of the informant and took away Rs. 10 lakh kept in two boxes. It is also alleged that during the course of fleeing, the miscreants made firing from their



pistols.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in F.I.R. rather his name came into light in this case on the basis of confessional statement of other co-accused persons before the police. Nothing has been recovered from the conscious possession of the petitioner and also he has not been put on T.I.P. It is also submitted that no any consistent material has come against the petitioner during the course of investigation. Moreover, he is languishing in judicial custody since 20.11.2022. Similarly, situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide Annexure-5 of this petition.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Banka P.S. Case No. 409 of 2021 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,
Banka.

(Sunil Kumar Panwar, J)

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