

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15194 of 2023

Arising Out of PS. Case No.-379 Year-2022 Thana- GAYA RAIL P.S. District- Gaya

MD. SALMAN HUSSAIN @ SONU Son of Anwar Hussain @ Anwar Ali
Resident of Village- Karpurwa Sai @ Sai Tola Koirpurwa, P.S.- Nagar,
District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyam Bihari Singh
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-05-2023 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 sections 394,
395, 397, 412 of the Indian Penal Code.

As per prosecution case, when informant was
returning from Gaya and reached at Ismailpur Railway
Station then two unknown miscreants came near the
informant and caught hold the hand of the informant and
another two persons started assaulting him. It is further
alleged that on pistol point they looted cash of total Rs.
1,45,000/- one mobile and other articles from the informant



and fled away.

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 confessional statement of co-accused. The petitioner is not named in the FIR. It is submitted that the petitioner was put on TIP but he was not identified by the informant that he was involved in the alleged occurrence. It is further submitted that one motorcycle was recovered but the same belongs to the petitioner. Similarly situated co-accused has already been granted bail by this Court vide order dated 16.05.2023 passed in Cr. Misc. No. 16040 of 2023. The petitioner is languishing in judicial custody since 07.11.2022.

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 custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gaya Rail



P.S. Case No. 379 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 Railway Judicial Magistrate, Gaya.

(Sunil Kumar Panwar, J)

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