

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12627 of 2023

Arising Out of PS. Case No.-1339 Year-2022 Thana- FORBESGANJ District- Araria

MD CHHOTKAN S/O Late Salim R/O Village- Rampur Dakhin Ward No-07,
P.S- Forbesganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 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 section 395 of the Indian Penal Code.

As per FIR, prosecution case relates to dacoity of Rs. 3,05,000/- from the informant and Rs. 1,15,000/- from one Rajeev Bhagat by some unknown miscreants.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case on the basis of suspicion. Neither the petitioner was put on TI Parade nor any incriminating article has been recovered from his conscious possession. During course of



investigation, the petitioner has been arrested on the basis of CDR of his mobile and thereafter he made his self confessional statement before the police, which has got no evidentiary value in the eye of law. It is further submitted that the petitioner has got no criminal antecedent and languishing in judicial custody since 30.12.2022.

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 Forbesganj P.S. Case No. 1339 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 Chief Judicial Magistrate, Araria.

(Sunil Kumar Panwar, J)

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