

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17300 of 2023

Arising Out of PS. Case No.-193 Year-2022 Thana- BARAHAT District- Banka

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1. MD WARIS SON OF MD SHAHAB UDDIN RESIDENT OF VILLAGE-KHARHARA, PS- BARAHAT, DISTRICT- BANKA
 2. MD MEHRAB SON OF MD SOHRAB RESIDENT OF VILLAGE-KHARHARA, PS- BARAHAT, DISTRICT- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under section 392 of the Indian Penal Code.

As per allegation in the FIR, four unknown miscreants overtook the informant and his father and snatched his bag and an amount of Rs. 2000 from informant's father.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Neither the petitioner is named in the FIR not put on TIP. There is no eye witness of the alleged occurrence. Nothing has been



recovered from conscious possession of the petitioners. Their names came in this case on the basis of confessional statement of apprehended co-accused, namely, Md. Sabbir, before the police, which has no evidentiary value in the eye of law. Petitioners are languishing in judicial custody for more than six months.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge 1st, Banka in connection with Barahat P.S. Case No. 193 of 2022.

(Sunil Kumar Panwar, J)

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