

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20263 of 2023

Arising Out of PS. Case No.-816 Year-2022 Thana- ARARIA District- Araria

Bechan @ Nasim, aged about 47 years, male, Son of Late Hasib Village-
Baturbari ward no. -17, P.S.- Tarabari Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks bail in connection with Araria P.S. Case No. 816 of 2022 dated 22.09.2022, instituted for the offences punishable under Sections 395, 397 of the Indian Penal Code.

3. The prosecution case, in short, is that on 21.09.2022, the informant with loaded 8 ton iron bar on his Sonalika Tractor was going to Kaliyaganj when he reached Belwa bridge, one white Scorpio and two people on a motorcycle stopped him and dragged him out of his tractor and assaulted him and snatched Rs. 2000/- and keypad mobile phone from his pocket. One of the miscreants took away his tractor and others put him in the Scorpio by blindfolding him and left him in the forest of Belay Pothia in unconscious state.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. It is further submitted that F.I.R. is lodged against one named co-accused Hashim and unknown persons. Learned counsel submits that the petitioner has been made accused only on the basis of confessional statement of Hashim. The petitioner is not named in the F.I.R. nothing has been recovered from the possession of the petitioner or his house. Iron rod has been recovered from the godown of Md. Nasir. Lastly, it has been submitted that the petitioner is in custody since 07.01.2023 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 816 of 2022.

(Khatim Reza, J)

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