

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26139 of 2023

Arising Out of PS. Case No.-205 Year-2020 Thana- SAKRI District- Madhubani

MD. SHAMSAD Son of Ash Mohammad Resident of Village - Madhopur
Susta, P.S.- Maniyari, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mrs.Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner has preferred this application for grant

of regular bail in connection with Sakri P.S. Case No 205 of

2020 dated 03.12.2020 registered for the offences punishable u/s

395, 412 of the Indian Penal Code.

As per the prosecution case, 5-6 unknown miscreants



stopped the informant's truck loaded with mustard oil and thereafter all the accused persons surrounded his truck and assaulted the co-driver of the truck and fled away with the informant's truck. The informant is the driver and the owner of the said truck.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Learned counsel has further submitted that the petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Dinesh Kumar Sahni. The co-accused person namely Dinesh Kumar Sahni has already been granted bail by the Coordinate Bench of this Court vide order dated 06.07.2022 passed in Cr. Misc. No 49128 of 2021. The petitioner has got 3 other cases as stated in para 3 of the bail petition. The petitioner is in custody since 18.1.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Sakri P.S. Case No. 205 of 2020.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

U		T	
---	--	---	--

