

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22113 of 2023

Arising Out of PS. Case No.-206 Year-2022 Thana- BAISI District- Purnia

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MD SHAHBAZ @ SHAHBAZ @ MD. SAHBAJ SON OF MD. IDRISH @
IDRISH RESIDENT OF VILLAGE - SINGHIA THATHOL, P.S. -
DAGARUA, DISTT. - PURNEA Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Baisi P.S. Case no. 206
of 2022 registered under section 395 of the Indian Penal Code.

3. As per the prosecution case, it is stated by the
informant that late in the night while he was sleeping with the
members of his family eight to ten persons gathered near his
gate and started to hurl abuses. They made an attempt to break
open his gate. The informant raised hulla then they went away.
Subsequently it transpired that the accused persons had carried
burglary in his house and had taken away gold and silver
ornaments as also cash to the tune of Rs. 80,000/- besides other
articles mentioned in the FIR.

4. It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. The



FIR was registered against eight to ten unknown. Referring to the order of the learned Trial Court it is submitted that the name of the petitioner transpired in course of investigation in the confessional statement of co-accused Guddu Alam. The said Guddu Alam has been enlarged on bail vide order dated 9.2.2023 passed in Cr. Misc. no. 57884 of 2022. Contrary to the allegation, no incriminating article has been recovered from the petitioner's possession. In spite of the petitioner being in custody since 20.8. 2022 he has not been put on T.I. Parade.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the petitioner not having been put on T.I. Parade in spite of being in custody for eight months since 20.8.2022 and grant of bail to co-accused Guddu Alam on whose statement before police the name of the petitioner transpired, the Court directs the petitioner to be enlarged on bail in connection with Baisi P.S. Case no. 206 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Purnea.

(Partha Sarthy, J)

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