

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37010 of 2023

Arising Out of PS. Case No.-379 Year-2022 Thana- GAYA RAIL P.S. District- Gaya

Naiyer Aajam @ Arbaj Son Of Mahatab Alam Resident Of Village - Sheikh
Bahuaara, P.S. - Kochas, Distt. - Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tripurari Sharan

For the Opposite Party/s : Mr. Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 395, 397 and 412 of the Indian Penal Code.

3. Allegation against four miscreants is that they committed dacoity with the informant by taking Rs. 1,45,000/- cash along with mobile phone on the point of pistol. It is further alleged that they assaulted him as well.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of other co-accused person before the



police which has got no evidentiary value in the eye of law. Nothing has been recovered from the conscious possession of the petitioner and also he has not been put on TIP as yet. Moreover, he is languishing in judicial custody since 16.12.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Gaya Rail P.S. Case No. 379 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 Judicial Railway Magistrate, Gaya.

(Sunil Kumar Panwar, J)

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