

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45141 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- KHODAWANDPUR District- Begusarai

MD. NIYAZ S/O MD. NAYEEM R/O Village- Bariyarpur West, P.S-
Khodanwandpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Dhar Jha

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 11-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 392 of the Indian Penal
Code.

3. As per prosecution case, four unknown miscreants
overtook the motorcycle of the informant and on pistol point,
they took his motorcycle, mobile, cash of Rs. 5,000/- along with
relevant paper of motorcycle and ATM Card.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR and
the same has been lodged against unknown persons. The name
of the petitioner has come into light, on the basis of confessional



statement of co-accused persons, which has got no evidentiary value in the eyes of law. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner. No T.I. Parade has been done. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 04.07.2023 passed in Cr. Misc. No. 37920 of 2023. He is languishing in judicial custody since 29.01.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Manjhaul, Begusarai in connection with Khodawandpur P.S. Case No. 02 of 2023.

(Sunil Kumar Panwar, J)

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