

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32716 of 2022

Arising Out of PS. Case No.-761 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

MD. AASHIK ANSARI S/o Md. Sahebjan R/o village- Muradpur Dullah,
P.S.- Ahiyapur, District- Muzaffarpur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Ajit Singh, Advocate
For the State : Ms.Rita Verma, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 05-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Ahiyapur P.S. Case No. 761/2021 dated 31.10.2021 registered
for the offence(s) punishable under Section(s) 394 and 411 of
the Indian Penal Code.

As per the prosecution, the informant alleged that two
to three unknown miscreants barged into the alleged truck and
inflicted knife blow at the informant's head and body and
thereafter they snatched a cash of Rs.12,000/- and a mobile
phone from the informant and fled away.

The main submissions advanced by the learned
counsel for the petitioner are that the petitioner is not named in
the FIR, after his arrest in the present matter, he was not put on



Test Identification Parade and he was remanded in this case from Ahiyapur P.S. Case No.790 of 2021 and after his arrest, the police failed to recover any part of the looted articles from his possession and he has been languishing in jail since 02.02.2022.

Learned APP appearing for the State has opposed the bail prayer but fairly accepted that during the investigation the witnesses only supported the factum of the commission of the alleged incident but except petitioner's own statement and statement of co-accused given before the police, there is no any other material against the petitioner.

In view of the facts, as stated above, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Ahiyapur P.S. Case No. 761/2021 .

(Shailendra Singh, J)

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