

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34780 of 2023

Arising Out of PS. Case No.-409 Year-2021 Thana- BANKA District- Banka

Md Minhaz S/O Sekh Salim R/O Village- Kharihara, P.S.-Barahat, Dist.-
Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with Sessions Trial No. 265 of 2023 arising out of Banka P.S. Case No. 409 of 2021, registered for the offences punishable under Sections 395 and 397 of the Indian Penal Code and Sections 3 and 4 of Explosive Substance Act.

As per the prosecution case, the informant along with one Vikash Shahi being staff of Madev Enclacve Pvt. Ltd. at Shankarpura were issuing challans for the truck carrying sand and in the meantime, 5 to 6 miscreants wearing masks on their faces and having country-made pistols in their hands entered into the office of the informant and exploded bomb at the door of the office and took away Rs. 10 lakh kept in two boxes. It is



also alleged that during the escape, the miscreants also fired from the pistol.

Learned counsel for the petitioner submits that the petitioner is quite innocent and has committed no offence. Petitioner has falsely been implicated in this case only on the basis of confessional statement of co-accused. No T.I.P. has been conducted. Charges have been framed in this case. He has one criminal antecedent in which he is on bail. He further submits that similarly situated co-accused persons, namely, Md. Sazzad, Md. Afaz, Heera @ Md. Heera, Md. Shahrukh, Md. Kaushar, Md. Tajmul, Md. Basir, Md. Tokeer have been granted bail by the Coordinated Bench of this Court vide order dated 24.05.2022, 10.10.2022 and 25.04.2023 in Criminal Misc. No. 66774 of 2021, Criminal Misc. No. 1275 of 2022, Criminal Misc. No. 53366 of 2021, Criminal Misc. No. 2584 of 2022, Criminal Misc. No. 2056 of 2022, Criminal Misc. No. 330 of 2022 and Criminal Misc. No. 13120 of 2023 respectively. Petitioner is in jail custody since 12.12.2022.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case let the petitioner, above named, be released on bail on furnishing



bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-IV, Banka in connection with Sessions Trial No. 265 of 2023 arising out of Banka P.S. Case No. 409 of 2021.

(Sunil Dutta Mishra, J)

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