

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41565 of 2023

Arising Out of PS. Case No.-258 Year-2022 Thana- PRANPUR District- Katihar

1. Md. Anarul @ Mohammad Anarul son of Md. Ismail @ Muhammad Ismail Village- Guni Tola Ps- Pranpur Dist- Katihar
2. Md. Rajjak Ali @ Abdul Rajjak @ Rajjak Ali @ Mohammad Rajjak son of Noor Islam Village- Guni Tola Ps- Pranpur Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in connection with S.T. No. 266 of 2023 arising out of Pranpur P.S. Case No. 258 of 2022 dated 30.11.2022, instituted for the offences punishable under Sections 395, 397 of the Indian Penal Code.

3. The prosecution case, in short, is that on 30.11.2022 while informant and his family members were sleeping, 8 to 10 unknown miscreants entered into his house and gave a iron blow on the informant's head and also assaulted his wife and brother and demanded the key of the box. It is further alleged that they looted golden chain, silver ornaments and cash amounting to Rs. 30,000/- as well as other documents.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in



this case. It is further submitted that petitioners have been made accused only on the basis of confessional statement of co-accused Basiruddin. It is further submitted that nothing has been recovered from the possession of the petitioners and no T.I.P has been conducted as yet. It is further submitted that similarly situated co-accused, namely, Azhar Ali has been granted bail on 21.03.2023 vide Cr. Misc. No. 39583 of 2023 by a Co-ordinate Bench of this Court. Lastly, it has been submitted that the petitioner is in custody since 21.03.2023 having clean antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II, Katihar in connection with S.T. No. 266 of 2023 arising out of Pranpur P.S. Case No. 258 of 2022.

(Khatim Reza, J)

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