

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43456 of 2023**

Arising Out of PS. Case No.-357 Year-2017 Thana- CHANPATIA District- West Champaran

RAYEES MIAN S/O HABIB MIAN @ HABIB R/O Village- Adrauna, P.S-
Padrauna Kotwali, Distt.- Kushinagar (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Jagdhar Prasad

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-07-2023

1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Chanpatia (Sirisiya O.P.) P.S. Case No. 357 of 2017 dated 23.9.2017 registered for the offence punishable u/s 392 of the Indian Penal Code and 27 of the Arms Act.

4. As per the prosecution case, the petitioner and the



co-accused persons are alleged to have snatched the bag of the informant in which Rs. 2,14,000/- was kept.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is not named in the FIR. His name has surfaced during the course of the investigation. No TIP has been conducted by the prosecution. The petitioner is accused in two other criminal cases as stated in para 3 of the bail petition. The petitioner was in jail in connection with Nadi (Bagaha) P.S. Case No. 03 of 2022 but he was remanded in the present case on 3.2.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bettiah, West Champaran in connection with Chanpatia (Sirisiya O.P.) P.S. Case No. 357 of 2017.



8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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