

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43688 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- SHASTRINAGAR District- Patna

MD SAIFI SON OF AMIRUL HASAN RESIDENT OF VILLAGE- RAJA
BAZAR, SAMANPURA, PS- SHASTRINAGAR, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-08-2023 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 Sections 413, 414/34 of the
Indian Penal Code.

3. The allegation against the petitioner along with
others is of habitually deal with stolen good like mobiles and
other materials.

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 named in the FIR on the
basis of confessional statement of co-accused Md. Ali from
whose possession stolen articles were recovered. It is submitted
that petitioner and the co-accused were in inimical term and out



of said enmities, he named as petitioner without having any connecting evidence. No incriminating/stolen articles have been recovered from the conscious possession of the petitioner. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 01.08.2023 passed in Cr. Misc. No. 46822 of 2023. He is languishing in judicial custody since 31.01.2023.

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 Court below in connection with Shastrinagar P.S. Case No. 115 of 2023.

(Sunil Kumar Panwar, J)

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