

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43363 of 2022

Arising Out of PS. Case No.-376 Year-2022 Thana- SHERGHATI District- Gaya

Md. Imran Alam, Son Of Md. Barkat Ali @ Md. Baskat Ali R/O Village-
Chhakarbandha, Tola- Bhandar, P.S.- Imamganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Namrata Mishra, Advocate Mr. Chhote Lal Mishra, Advocate Ms. Archana Jha, Advocate
For the Opposite Party/s :		Mr. Shailendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 25-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), if any, as pointed out by the
office, be removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Sherghati P.S. Case No. 376 of 2022 registered
for the alleged offences under Sections 364(A) and 395 of the
Indian Penal Code.

As per prosecution case, 7-8 miscreants looted the
truck of the informant and abducted the drivers of the truck, they
were also paid ransom of Rs. 4,00,000/- for release of the
abducted drivers. The name of the petitioner transpired during
investigation as one of the accused persons involved in the

criminal antecedent of dacoity.

Learned counsel for the petitioner submits that no recovery has been made from this petitioner and allegations are false and concocted. He has been named in this case on the basis of confessional statement of co-accused Imran son of Anwar. But the another co-accused Chandan Kumar Singh has not alleged anything against this petitioner in his confessional statement, though he has named five other co-accused persons. Similarly, the abducted drivers who recorded their Statement under Section 164 of the Cr.P.C. did not say anything against the petitioner. Learned counsel further submits that the co-accused Imran son of late Anwar accepted that he had brought the Swift car from Kolkata. Charge sheet has been submitted in this case and the petitioner is in custody since 20.05.2022. The petitioner has got no criminal history.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner submitting that recovery of Swift Car was made from the house of this petitioner, when a raid was conducted at the house of this petitioner on the basis of information received from the co-accused Chandan Kumar Singh.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and

recovery made from the house is stated to be at the instance of some other person, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Sherghati P.S. Case No. 376 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

daya/-

U		T	
---	--	---	--