

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46466 of 2023

Arising Out of PS. Case No.-83 Year-2023 Thana- WARISNAGAR District- Samastipur

Md. Neyaz @ Neyaz Ahmad Son of Md. Masum@ Masoom Ahmad Resident
of village - Raipur, P.S.- Warisnagar, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kumar Jha

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant
of regular bail in a case registered for the offences punishable
under Sections 394, 326, 307 of the Indian Penal Code and Section
27 of the Arms Act

It is a case of robbery. One miscreant entered into the
shop of the informant and fired upon him due to which he injured
and thereafter he looted cash of Rs. 6,20,000 and Rs.28,000/-
from two bags which were kept in the shop of the informant and
fled away by motorcycle with another miscreant.

It is submitted by learned counsel for the petitioner that
the petitioner is innocent and committed no offence. He has falsely
been implicated in the present case merely on suspicion. Neither



the petitioner is named in the F.I.R. nor put on T.I.P. till date. His name has been surfaced in this case on the basis of confessional statement of other co-accused. Nothing looted money has been recovered from the conscious possession of the petitioner. During investigation, no consistent evidence has come to support the prosecution case. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is also submitted that petitioner is languishing in judicial custody since 30.04.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail and submitted that petitioner has a role of liner in this crime.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Warisnagar P.S. Case No.83 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Samastipur.

(Sunil Kumar Panwar, J)

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