

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51537 of 2022

Arising Out of PS. Case No.-580 Year-2021 Thana- PURNEA SADAR District- Purnia

MD MUSTAQUE SON OF MD. LAYEEK R/O AINA MAHAL, SHANI
MANDIR, GULABBAH, P.S. SADAR, DISTRICT- PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri

For the Opposite Party/s : Mr. J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 15-05-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Purnea Sadar P.S. Case No. 580 of 2021,
registered for the offences punishable under Sections 392 of the
Indian Penal Code.

As per allegation, some unknown miscreants
committed dacoity in the house of the informant and looted
away Rs. 44,000/- cash, a Hero-Honda motorcycle and a mobile
set from his possession.



The learned counsel for the petitioner has submitted that petitioner is not named in the FIR. Nothing was recovered from his possession and he has falsely been implicated. He has also submitted that though he is involved in seven cases but mistakenly only two cases were given in paragraph No. 3 and in this respect supplementary affidavit has been filed. He was not put on TIP. He is under custody since 13.04.2022.

On the other hand, Shri J.N. Thakur, the learned APP has opposed the prayer for bail and submitted that the petitioner is involved in seven cases of similar nature, as such he doesn't deserve the privilege for bail.

Considering the above-mentioned facts and circumstances, this bail petition is disposed of with the observation that the petitioner, if so advised, he may renew his prayer for bail after framing of charges before the learned court below itself.

(Nawneet Kumar Pandey, J)

Sudha/Sonali

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