

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52517 of 2023

Arising Out of PS. Case No.-751 Year-2022 Thana- FORBESGANJ District- Araria

1. Sagir @ Sagir Alam @ Md Sagir Alam Son Of Tasfique Sah Resident Of Village - Dholbajja, Police Station - Forbesganj, District - Araria
2. Md. Farooque Son Of Nurul Hoda Sah Resident Of Village - Ward No.03 Pahunsi Lailokhar, Police Station - Raniganj, District - Araria

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-08-2023 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable under Section 392 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against 3 named accused persons relating to robbery.

4. It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offence. He submits that from the content of the FIR it is clear that the name of the petitioners is not there in the FIR and their names have been figured in the FIR by virtue of confessional statement

of the co-accused. He submits that antecedent of the petitioners is clean and nothing incriminating has been recovered from their possession.

5. Learned APP for the State opposes the prayer for bail and submits that it is true the petitioners names have come in the FIR on the confessional statement of the co-accused but it is also true that the antecedent of the petitioners are also clean.

6. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No.751 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. Further condition is hereby imposed on the petitioners that if the petitioners are found to be involved in any other criminal case then the prosecution shall be at liberty to move for cancellation of their bail bond.

(Dr. Anshuman, J.)

Ashishsingh/-

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