

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53589 of 2022

Arising Out of PS. Case No.-594 Year-2017 Thana- PATNA GRP CASE District- Patna

MD. IMTEYAZ Son of Md. Mahboob Khan Resident of Near Ahiyapur Bara,
Shanti Niketan, Jagarnath Factory, District - Muzaffarpur. At present Near
Zero Mile, Renter Shop, Mahboob Band Baja, P.S.- Ahiyapur, District –
Muzaffarpur. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-01-2023 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has prayed for bail in a case registered for
the offence punishable under sections 328, 379/34 of the Indian Penal
Code and section 411 of the IPC was further added.

As per allegation in the FIR, under a conspiracy four
accused persons offered cold drinks and tea, mixed with sedative
substance, to the informant at Patna railway station and developed
intimacy with him as they shown that they are also the passengers of
same destination i.e. Ranchi. All they boarded in train and when the
informant lost conscious they looted his bag containing ATM cards,
Pass book, PAN Card, mobiles. It is further alleged that accused
persons withdrawn Rs. 2,53,000/- from his bank account by using
ATM card. After recovery of stolen mobile, it came to light that the
SIM which was inserted in the mobile, was in the name of the
petitioner.



It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Stolen mobile was recovered from possession of Akhilesh Kumar and he has stated that the same mobile was given to him by the petitioner and then he was apprehended by the police and police took his signature of blank paper which was later on that paper was converted into his self confessional statement. Petitioner has never been put on TIP. He is languishing in judicial custody since 22.6.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 Railway Judicial Magistrate, Patna in connection with Patna Junction P.S. Case No. 594 of 2017.

(Sunil Kumar Panwar, J)

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