

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58829 of 2022

Arising Out of PS. Case No.-2 Year-2015 Thana- SABAUR District- Bhagalpur

Md Zakir Son Of Md. Atik Resident Of Village- Lodipur, P.S.- Lodipur,
District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-02-2023 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 Section 392 of the Indian
Penal Code.

The prosecution case in nutshell is that
petitioner along with other co-accused persons stopped
the tractor, driven by the informant, and snatched the
key and assaulted him. They tied the informant with a
tree and flee away with tractor and mobile of the
informant.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that neither the petitioner is named in F.I.R. nor he has been put on T.I.P. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no any consistent material evidence against the petitioner and his name sprang up in this case on the basis of confessional statement of co-accused and the petitioner was remanded in this case from other case. Moreover, the Petitioner is languishing in judicial custody since 18.10.2021.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection



with Sabour(Goradih) P.S. Case No. 02 of 2015 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 Judicial Magistrate, 1st,
Bhagalpur.

(Sunil Kumar Panwar, J)

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