

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72872 of 2022

Arising Out of PS. Case No.-126 Year-2022 Thana- SABAUR District- Bhagalpur

MD IJHAR S/O Late Md. Salauddin R/O Mohalla- Bikhanpur, near Railway
Quarter, Jhoparpatti, P.S- Ishakchak, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 395 of the
Indian Penal Code.

As per allegation in the FIR, informant is a doctor and
six accused persons entered into his clinic and made a request to
his compounder to visit the doctor. As soon as compounder took
them to doctor, on pistol point accused persons confined the
entire family members of the informant/doctor in a locked room
and then looted jewelry, cash, mobiles and other valuable items.
It is further alleged that accused persons have threatened the
informant that if the occurrence is reported to the police, they
will have to face dire consequences.



It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Neither the petitioner is named in the FIR nor put on TIP. There is no eye witness of the alleged occurrence. No article except a mobile has been recovered from his conscious possession of the petitioner. Name of the petitioner has been surfaced in this case on the basis of statement of unknown ex-thief, which has no evidentiary value in the eye of law. Petitioner is languishing in judicial custody since 31.5.2022.

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 CJM, Bhagalpur in connection with Sabour P.S. Case No. 126 of 2022.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

