

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61262 of 2022

Arising Out of PS. Case No.-73 Year-2022 Thana- AMARPUR District- Banka

Md. Sajjad, male, aged about 32 yrs, Son of Abul Hassan R/o- Sobhanpur,
P.S.- Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State of Bihar.

The petitioner seeks bail in connection with Amarpur PS
Case No. 73 of 2022, registered for the offence punishable under
Section 394 of the Indian Penal Code.

There is allegation that four miscreants have looted
10,700/- cash and a mobile phone from the informant.

The learned counsel for the petitioner submits that
petitioner's implication has been at the instance of the police in
alleged confessional statement of co-accused, namely, Shakti Yadav,
having no evidentiary value. The implication is only considering his
antecedents. He is on bail in five out of six cases pending against him
since before. His implication has led to no recovery and he is in
custody since 03.08.2022. Similarly situated co-accused, namely,
Bulla @ Sudhanshu and Tulsi Kumar @ Abhijit Kumar @ Rajesh
Kumar have been allowed bail in Cr. Misc. Nos. 25739 of 2022 and
29503 of 2022.

The learned APP for the State has opposed the prayer for bail
Considering the nature of the petitioner's implication, the fact



that no recovery is alleged from the petitioner and his custody, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, in connection with Amarpur PS Case No. 73 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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