

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62582 of 2022

Arising Out of PS. Case No.-31 Year-2022 Thana- RAJAON District- Banka

MD. SARIK S/O MD. ABBAS R/v- Donna, P.S.- Shahkund, Sajour, District-
Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-02-2023 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 392 of the Indian Penal Code.

As per prosecution case, while the informant was going to Badhuana village on his motorcycle bearing registration No. BR51H3337, in the meantime, four miscreants robbed the informant on gun point. It is further submitted that during commission of robbery, they took away his motorcycle and purse containing Rs. 5500/-. They assaulted the informant and also took away documents motorcycle regarding license.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been



implicated in the present case on the basis of suspicion. Neither the petitioner has been put on TIP nor any incriminating article has been recovered from his conscious possession. The name of the petitioner came into light on the basis of confessional statement of co-accused namely, Shakti Yadav. Moreover, similarly situated co-accused Bulla has already been granted bail by a coordinate Bench of this Court vide order dated 2.2.2023 passed in Cr. Misc. No. 58415 of 2022. The petitioner is languishing in judicial custody since 20.4.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

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 released on bail in connection with Rajoun P.S. Case No. 31 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka.

(Sunil Kumar Panwar, J)

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