

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66914 of 2023

Arising Out of PS. Case No.-80 Year-2023 Thana- MAJORGANJ District- Sitamarhi

Sadre Alam @ Sadare Alam S/o Tahir Hussain @ Tahir Hussain Shah R/o
Village- Raghunathpur, P.S. Majorganj, District- Sitamarhi (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Majorganj P.S. Case no. 80 of 2023 registered under section 392 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, two accused persons on a motorcycle on the point of pistol looted the informant of Rs.1.1 lac in cash besides other articles as mentioned in the FIR.

4. Learned counsel for the petitioner, at the outset, submits that there is typographical error in paragraph no.1 of the bail petition insofar as inadvertently section 27 of the Arms Act has been left out to be typed. It is further submitted that the F.I.R was registered against unknown. The petitioner was falsely implicated in the case in course of investigation. Referring to the order of the learned trial Court, learned counsel submits that in



course of investigation the prosecution is mainly relying on the alleged confessional statement of the petitioner made before police. However, inspite of being in custody since 9.5.2023, the petitioner has not been put on T.I.Parade, no incriminating article has been recovered from his possession and charge-sheet has been submitted in the case.

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

6. Having heard learned counsel for the parties and taking into consideration the material on record, no incriminating article having been recovered from the petitioner's possession and charge-sheet having been submitted in the case without putting the petitioner on T.I. Parade though the petitioner is in custody for 5 months since 9.5.2023, the petitioner is directed to be enlarged on bail in connection with Majorganj P.S. Case no. 80 of 2023, 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 Additional Chief Judicial Magistrate-Ist, Sitamarhi.

(Partha Sarthy, J)

avinash/-

U		T	
---	--	---	--

