

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64818 of 2022

Arising Out of PS. Case No.-249 Year-2022 Thana- CHANPATIA District- West Champaran

Ali Hawari S/O Madish Baitha R/V- Durganagar, Bhangaha Mai Asthan, P.S.-
Kumarbag (O.P.), District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Adya Singh, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 02-03-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with Chanpatiya P.S. Case No. 249 of 2022 registered for the offence punishable under Section 392 of the Indian Penal Code.

Allegedly, three unknown miscreants wearing mask on their face entered into C.S.P. Center of the informant and on point of gun looted Rs. 1,12,535/- as well as a bag containing papers related to U.T.I. and L.I.C. thereafter they fled away.

The main submissions advanced by petitioner's



counsel are that the FIR has been registered against three unknown persons, the petitioner is not named in the FIR and during the course of investigation on the basis of mobile phone's location one co-accused Mannu Hawari was apprehended who has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 59336 of 2022 and the petitioner is Nineteen years old and merely on suspicion he was arrested from his house on 07.06.2022 and since then he has been languishing in jail and after his arrest in the present matter he was not put on test identification parade and the investigation has been completed against him and except his confessional statement made before police there is no any other material against him to connect him to the alleged occurrence. Further submission is that in the instant matter the motorcycle used in the alleged crime has not been recovered from the possession of this petitioner rather the same was recovered behind the house of co-accused Amit Kumar and the case of this petitioner stands on similar footing with co-accused Mannu Hawari who is on bail.

Learned APP appearing for the State has opposed the prayer for bail.

Considering the aforesaid facts and mainly the



petitioner’s young age and his clean antecedent and also the fact that in view of the above-mentioned submission his case appears to be similar to the co-accused Mannu Hawari who is on bail, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged 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 concerned Court in connection with Chanpatiya P.S. Case No. 249 of 2022.

(Shailendra Singh, J.)

maynaz/-

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

