

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69760 of 2023

Arising Out of PS. Case No.-104 Year-2014 Thana- AKBARPUR District- Nawada

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Zaved Mallik@Zaved Alam@Javed Mallik @JAVED Alam Son Of Late
Anish@Md Anish Miya Village-Sonshari, P.S.-MUFFASIL, District-Nawada

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 13-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 392 of the Indian Penal Code. Later on, converted into Section 395 of Indian Penal Code.

The prosecution case in nutshell is that while the informant was going from Biharsharif to Calcutta in Bus with a cash of Rs. 52,50,000/- two miscreants overtook the bus by Sumo Victa vehicle and took the bags by breaking the Dicky of the bus and fled away.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor he has been put on T.I.P. Nothing incriminating has been recovered from his possession. The name of petitioner sprang up in this case on confessional statement of co-accused Md. Arshad @ Md. Irshad (Driver of the bus). It is further submitted via para 8 of the petition that petitioner is suffering from AIDS and he is critically ill. Moreover, the petitioner is languishing in judicial custody since 13.07.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on



bail in connection with Akbarpur P.S. Case No. 104 of 2014 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 I, Nawada.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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