

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.67219 of 2022**

Arising Out of PS. Case No.-79 Year-2020 Thana- BARHARA KOTHI District- Purnia

Md Tafaijul @ Jafaijul @ Tafaijul S/O Md. Kalim R/O Village- Jankinagar,  
Binovagram, P.S- Jankinagar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA  
ORAL ORDER**

2      24-02-2023                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Barhara  
(Raghubansh Nagar) P.S. Case No. 79 of 2020 registered for the  
offence under Section 392 of the I.P.C.

The accused/petitioner is not named in the F.I.R. and  
is in custody since 27.06.2022.

The allegation against the petitioner is to commit  
dacoity alongwith other co-accused persons and while  
committing so taken away cash of Rs. 1,29,560/- belongs to  
informant and others .

Learned counsel appearing on behalf of the petitioner



submitted that the name of petitioner surfaced during the course of investigation on the basis of confessional statement of co-accuses, namely, Md. Rustam, in furtherance of which no incriminating material recovered/surfaced, which may connect petitioner, *prima facie*, with present occurrence of robbery/dacoity. It is further submitted that petitioner has not put on TIP, as yet. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail fairly conceded the fact that petitioner is not named in F.I.R.

Considering the facts and circumstances as mentioned above and by taking note of nature of allegation, where no incriminating material surfaced during the course of investigation to connect petitioner, *prima facie*, with the present set of occurrence, coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Barhara (Raghubansh Nagar) P.S. Case No. 79 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned A.C.J.M. II,  
Purnea/concerned Court, subject to the conditions as mentioned  
under Section 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

Archana/-

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