

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71721 of 2023

Arising Out of PS. Case No.-229 Year-2023 Thana- GURUA District- Gaya

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SAMSHAD KHAN SON OF SAHABUDDIN SHAH R/O VILLAGE-
SIDHARTHPUR, P.S.- GURUA, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 395 of the Indian Penal
Code.

3. As per prosecution case, the petitioner along with
others have been involved in committing *dacoity* in a finance
company.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR and
the same has been lodged against unknown persons. The name
of the petitioner has come into light, on the basis of confessional
statement of co-accused Manish Kumar, which has got no



evidentiary value in the eyes of law. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner. No T.I. Parade has been done. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 07.11.2023 passed in Cr. Misc. No. 71383 of 2023. He is languishing in judicial custody since 19.05.2023.

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

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Sherghati, Gaya in connection with Gurua P.S. Case No. 229 of 2023.

(Sunil Kumar Panwar, J)

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