

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73761 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- BARAHAT District- Banka

SAHIN @ MD. SAHIN son of Md. Taiyab Village- Kharihara Ps- Barahat
Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Barahat P.S. Case no.148 of 2022 registered under section 392 of the Indian Penal Code.

3. As per the prosecution case, four named accused persons forcibly looted the informant and others of the truck and other articles as given in detail in the F.I.R. It is further stated that the accused persons were addressing each other taking names which included the name of the petitioner herein. The informant states that he can identify the accused on seeing them again.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case on the basis of a confessional statement of co-accused made before police. No



incriminating article has been recovered from the petitioner's possession. He is in custody since 14.7.2023 and charge-sheet has been submitted in the case without putting the petitioner on T.I parade.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR including the fact that the informant claims to identify the accused persons on seeing them again, the petitioner being in custody since 14.7.2023 and charge-sheet having been submitted in the case without putting the petitioner on T.I parade, the petitioner is directed to be enlarged on bail in connection with Barahat P.S. Case no.148 of 2022 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 Chief Judicial Magistrate, Banka.

(Partha Sarthy, J)

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