

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71402 of 2022

Arising Out of PS. Case No.-125 Year-2020 Thana- BELA District- Sitamarhi

Md. Gulab Nadaf @ Gulab Miyan @ Gulab Nadaf @ Md. Gulab Miyan S/O
Lal Babu Nadaf R/O Village- Bhalahi, P.S.- Bathnaha, Distt- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 395 of the Indian Penal Code and Section 3/4 of Explosive Substance Act.

Allegation against the petitioner along with co-accused persons is that they intrude into the house of the informant by breaking the lock of the gate and they assaulted the informant along with his family members by iron rods. Thereafter, they ransacked the house of the informant and looted several lakhs of cash amount as well as valuable ornaments, after that they hurled bombs while fleeing away from there.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. It is further submitted that the petitioner is not named in F.I.R. Neither the petitioner has been put on T.I.P. nor any looted articles have been recovered from the conscious possession of this petitioner. Similarly situated, co-accused, namely, Md. Izrail Nadaf @ Israil Nadaf has already been granted bail by a coordinate Bench of this Court vide order dated 13.03.2023, passed in Cr. Misc. No 72819 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 05.08.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bela P.S. Case No. 125 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate-Sadar Sitamarhi.

(Sunil Kumar Panwar, J)

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