

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80847 of 2023

Arising Out of PS. Case No.-236 Year-2022 Thana- SAMASTIPUR District- Samastipur

Md. Dulare S/O- Md. Kayum Village- Shekhopur Ps- Warisnagar Mathurapur
Op Dist- Samastipur Bihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2023 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 394 of the Indian Penal Code.

The prosecution case in nutshell is that when the informant was returning to home after closing his Pan shop and he was carrying sale proceeds of Rs. 1,25,000/-, two unknown miscreants surrounded him and threatened him to handover the bag which contained the cash. The informant handed over the bag to them



and they escaped on bike with third miscreant who was waiting for them. It is further alleged that informant was shot in the elbow due to indiscriminate firing by the miscreants.

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. The name of petitioner sprang up in this case on the basis of confessional statement of co-accused Ezaz Ansari and his own confessional statement in Samastipur Town P.S. Case No. 85 of 2023. Moreover, the petitioner is languishing in judicial custody since 19.06.2023.

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 Samastipur Town P.S. Case No. 236 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, Samastipur.

(Sunil Kumar Panwar, J)

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