

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74359 of 2022

Arising Out of PS. Case No.-22 Year-2020 Thana- KOTWALI District- Munger

MD. JAWAJ SON OF MD. IZHAR R/O MOHALLA- GULZAR POKHAR,
P.S.- KOTWALI, DISTRICT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Roushan

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2023 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Kotwali P.S. Case No. 22 of 2020 registered for the offence punishable under Sections 379, 461 and 511 of the Indian Penal Code.

The allegation is regarding unknown miscreants having broken a SBI ATM, situated at Police Line, Munger and having badly damaged the same. It is alleged that during the course of enquiry, the name of the petitioner has transpired in the present case, upon confessional statement made by the co-accused person, Md. Afroj @ Sanjay Khan.

The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the



present case. The learned counsel for the petitioner has further submitted that the co-accused person, namely, Md. Afroj @ Sanjay Khan, on whose confession, the name of the petitioner has transpired in the present case, has already been granted bail by the learned Court below, by an order dated 29.6.2021, passed in B.A. No. 1065 of 2021. It is further submitted that though the petitioner is an accused in one another case, but he is on bail in the said case.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, considering the materials available on record and taking into account the fact that the co-accused person, namely, Md. Afroj @ Sanjay Khan, has already been granted bail by the learned Court below, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of



the like amount each to the satisfaction of learned C.J.M.,
Munger in connection with A.B.A. No. 1515 of 2022, arising
out of Kotwali P.S. Case No. 22 of 2020, subject to the
conditions as laid down under Section 438(2) of the Code of
Criminal Procedure.

(Mohit Kumar Shah, J)

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