

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77181 of 2023

Arising Out of PS. Case No.-1339 Year-2022 Thana- FORBESGANJ District- Araria

Md. Azad Rai @ Md. Azad Son of Md. Nizamuddin Roy @ Najamudin Ray
Village- Koraili W.No-4, Dholbajja Ps- Forbesganj Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the State : Mr. Md. Nazir Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Forbesganj P.S. Case No. 1339 of 2022 instituted for the offence under Section 395 of the Indian Penal Code.

3. From the First Information Report, prosecution case relates to Dacoity of Rs. 3,05,000/- from the informant and Rs. 1,15,000/- from one '*Rajeev Bhagat*', by some unknown miscreants.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 19-08-2023. Petitioner bears no criminal antecedents.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Name of the petitioner has been surfaced in this case due to confessional statement of co-accused, namely, Md. Chhotkan, who has been granted bail by Co-ordinate Bench of this Court vide order dated 05-05-2023, passed in Cr. Misc. No. 12627 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Forbesganj P.S. Case No. 1339 of 2022.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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