

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10576 of 2024

Arising Out of PS. Case No.-231 Year-2023 Thana- KHANPURA District- Samastipur

Md. Amzad @ Banka son of Noor Mohammed Nadaf R/o- Mustafapur Ps-
Bibhutipur Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Adv

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Khanpur P.S Case No. 231 of 2023 dated 02.09.2023 registered for the offence punishable u/s 392 of the Indian Penal Code.

3. As per the prosecution case, unknown miscreants are alleged to entered the informant's house and took away Rs. 3,50,000/- on the point of the pistol.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. and the name of the petitioner has transpired in this case only on the basis of



confessional statement of the co-accused *Md. Intessar*. From the bare perusal of the F.I.R. it is crystal clear that the petitioner is framed in this case in order to shield the real culprit from the law. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, as well as the material available on the record, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Khanpur P.S Case No. 231 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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