

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8306 of 2024

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

Md. Akbar @ Akbar @ Juganoo Son of Md. Ejaj R/O-Rahua, P.S.-Rosera,
Distt.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13, Adv.

Mr. Rohit Kumar, Adv.

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

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

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khanpur P.S. Case No. 231 of 2023 (G.R. No. 2940 of 2023)
instituted for the offences under Section 392 of the Indian Penal
Code.

3. As per prosecution case, three unknown miscreants
entered into the house of the Informant and on the point of
pistol, took away Rs. 3.5 lacs from his mother.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is not named in the F.I.R. and his
name has surfaced in this case on the basis of confessional



statement of the co-accused Md. Intesar Ahmad. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner or his house. The petitioner was not put on T.I. Parade. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 07.09.2023.

5. Learned counsel for the petitioner again submits that the co-accuseds Md. Azaz, Md. Intesar Ahmad and Md. Nasir have been granted bail by a Co-ordinate Bench of this Court vide orders dated 02.02.2024, 22.01.2024 and 06.02.2024 passed in Cr. Misc. Nos. 4815 of 2024, 84835 of 2023 and 3875 of 2024 respectively.

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

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Khanpur P.S. Case
No. 231 of 2023 (G.R. No. 2940 of 2023).

(Rudra Prakash Mishra, J)

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