

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11521 of 2024

Arising Out of PS. Case No.-282 Year-2022 Thana- FALKA District- Katihar

Md. Hiru Miyan @ Hiruwa @ Hiru Miyan @ Hirwa son of Md. Sahabuddin
Village Police Line, Jhoparpatti Ps- Ishakchak Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Adv.

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

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

ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Falka
(Pothia) P.S. Case No. 282 of 2022 instituted for the
offences under Section 394 of the Indian Penal Code.

3. As per prosecution case, allegation against the
miscreants including the present petitioner is of abusing,
assaulting as also committing robbery and looting Rs.
1,10,001/- from the Informant at the point of pistol. It is
also alleged that the miscreants have also looted a mobile
phone.

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 co-accused Md. Haidar Alam. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. He further submits that the person from whose possession some of the looted cash as well as the alleged motorcycle was recovered has been granted bail by the court below itself. The petitioner is not the owner of the motorcycle. The petitioner has two criminal antecedent as has been stated in paragraph no.3 of the present bail application. Learned counsel for the petitioner submits that the petitioner was firstly arrested in Alauli P.S. Case No. 442 of 2023 on 18.09.2023 and remanded in the present case on 17.10.2023 and since then he is in custody. No T.I.P. has been made by the police. Charge-sheet has been submitted in this case.

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



6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner, 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 Falka (Pothia) P.S. Case No. 282 of 2022 .

(Rudra Prakash Mishra, J)

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