

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12004 of 2024

Arising Out of PS. Case No.-99 Year-2021 Thana- BALRAMPUR District- Katihar

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Sarik Raza Son of Shamshul @ Md. Shamsul Haque Resident of Village-
Purana Tola, Sikaliya (Puratan Simulia), P.S. Dalkhola, District- Uttar
Dinajpur (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Bimal Kumar, Advocate

For the State : Mr. Ashok Kumar Singh, APP

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

ORAL ORDER

2 27-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Balrampur (Telta) P.S. Case No. 99 of 2021 instituted for the
offence under Sections 395 & 397 of the Indian Penal Code.

3. As per prosecution case, 12-13 unknown
miscreants are said to have thrown bomb in the courtyard of the
informant with an intention to commit loot. It is alleged that the
accused persons have looted away gold and silver ornaments,
cash of Rs. 8,000/- and mobile phones of the informant and his
family members.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 05-12-2023. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

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 surfaced in this case due to confessional statement of co-accused, namely, Md. Mustakim, who has been granted bail by a Co-ordinate Bench of this Court *vide* order dated 14-06-2022 passed in Cr. Misc. No. 10867 of 2022. Other co-accused has been granted bail by a Co-ordinate Bench of this Court *vide* order dated 13-06-2022, passed in Cr. Misc. No. 11616 of 2022. Charge sheet has already been submitted in this case.

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 Balrampur



(Telta) P.S. Case No. 99 of 2021.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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