

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25099 of 2024

Arising Out of PS. Case No.-228 Year-2022 Thana- KUDHNI District- Muzaffarpur

Md. Javed, Son of Md. Sarfuddin @ Md. Sarffudin @ Kalamuddin, Resident
of Village- Mohammadpur Mubarak, P.S.- Maniyari, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dwij Raj, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kudhani P.S. Case No. 228/2022 lodged on 08.05.2022 under
Section 395 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against one named and four unknown accused persons
with an allegation of committing robbery of a motorcycle, cash
amount of Rs. 15,000/- and a mobile phone from the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is not named in the FIR rather his name has figured in
this case by virtue of confessional statement of co-accused,
namely, Kunal Kumar who has been granted bail by a co-



ordinate Bench of this Court vide order dated 11.01.2023 passed in Criminal Miscellaneous No. 46329 of 2022 while the other co-accused Md. Mokin @ Dharmendra has been granted bail by this Court vide order dated 16.10.2023 passed in Criminal Miscellaneous No. 66884 of 2023. He further submits that the petitioner is accused in one more criminal case and in that case, he is persuading for bail. The petitioner is in custody since 29.01.2024 and the chargesheet has already been filed.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned 20th Additional District and Sessions Judge, Muzaffarpur, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

Ashwini/-

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