

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 32727 of 2024

Arising Out of PS. Case No.-223 Year-2017 Thana- PUPRI District- Sitamarhi

Md Afroz @ Md Saddam @ Saddam Son of Md. Harun Rasid @ Harun
Resident of Village- Pupri, Ward no- 10(Wrongly described as Ward no- 4 in
the FIR) ,P.S- Pupri ,District -Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ashhar Mustafa, Advocate

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

CORAM: HONOURABLE MR JUSTICE KHATIM REZA
ORAL ORDER

2 23-05-2024

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2 The petitioner seeks bail in Pupri PS Case No 223
of 2017 dated 01.08.2017 instituted under Sections 341, 323,
324, 307, 379, 504/34 of the Indian Penal Code.

3 The allegation is that the accused persons snatched
Rs 4,000/- and a mobile phone from the pocket of the informant.

4 The learned counsel for the petitioner submitted that
the petitioner is innocent and has falsely been implicated in this
case. He vehemently argued that this is a case of
misidentification of the accused person. It is clearly stated in
the petition that petitioner is Md Afroj, son of Md Harun Rasid
of Ward No 10. Admittedly, he is not named in the FIR.
Accused No 3 in the FIR is Saddam, son of Harun of Ward No
4, Pupri, District – Sitamarhi. Name and address of the
petitioner and accused No 3 have been treated as one and the



same person during the course of investigation only because the name of the father Md Harun Rasid or Harun having failed to identify and nab the real culprit. It is further submitted that the informant, after realizing the aforesaid facts, filed a petition before the concerned Court and he physically appeared in the Court to support the factum of petition dated 04.04.2024. It is specifically stated that the informant did not want to pursue the matter against the petitioner. It is also submitted that the petitioner has no criminal antecedent and he is in custody since 24.02.2024.

5 Learned APP has opposed the prayer for bail.

6 Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the petitioner shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Pupri at Sitamarhi in Pupri PS Case No 223 of 2017.

7 The application stands allowed.

(Khatim Reza, J)

M.E.H./-

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