

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38067 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- DHAMDAHA District- Purnia

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1. Md. Jabir (M), aged about 27 years, S/O Quiyum Nadaf, R/O Jaba, Ward No. 11, P.S- Bhawanipur, Distt.- Purnea.
 2. Md. Imtiyaz (M), aged about 26 years, S/O Mustakim, R/O Village- Sakim Tola, Patraha, P.S- Barhara Kothi, Distt.- Purnea.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Raj Kumar, Advocate
For the Opposite Party : Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 18-07-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Dhamdaha P.S. Case No. 61 of 2024 dated 27.02.2024 registered for the offence punishable under Section 394 of the I.P.C.

3. As per the prosecution case, on 27.02.2024, while the informant alongwith others after taking group loan from the H.D.F.C. Bank, were returning from the auto, suddenly, three unknown miscreants boarded on the motorcycle, overtook and stopped their auto and looted Rs. 50,000/- from the informant and Rs. 2,30,000/- from others on the point of knife.



4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the petitioners are not named in the F.I.R. Their names have come in the present case on the basis of the confessional statement of the co-accused Md. Zakir and on that basis, police arrested the petitioners and on search, one mobile and Rs. 2,000/- has been recovered from the possession of the petitioner no. 2 but which is not looted article rather the same belongs to him and nothing has been recovered from the possession of the petitioner no. 1. It is submitted that no illegal, looted money or mobile has been recovered from the possession of the petitioners. It is further submitted that till 01.04.2024, no T.I. Parade has been done. The other co-accused Md. Rajabul @ Rajabul has been granted bail by a Bench of this Court vide Cr. Misc. No. 35278 of 2024 under order dated 16.05.2024. The petitioner no. 2 has clean antecedent and the petitioner no. 1 has three criminal antecedents and in all the cases he is on bail as stated in paragraph no. 3 of the bail petition. They are in custody in this case since 09.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances



of the case, the petitioners, above named, are directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with Dhamdaha P.S.Case No. 61 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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