

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38477 of 2024

Arising Out of PS. Case No.-246 Year-2018 Thana- BARAULI District- Gopalganj

Rizwan @ Rizwan Alam S/O Jahangir Alam Resident of Village- Dhantolya
Sarya Narend, P.S.-Barauli, District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Ansiur Rahman

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 21-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Barauli P.S. Case No. 246 of 2018, registered 18.10.2018, for the alleged offence under Sections 392 of the Indian Penal Code.

03. As per prosecution case, four miscreants overtook the vehicle of the informant and made him stop it. Thereafter threatening the informant and his nephew on gunpoint, miscreants took away Rs. 4,000/-, documents of the car, Aadhar Card, PAN Card, Driving License, Voter ID, Debit Card, Credit Card etc. and fled away with the car of the informant. The name of the petitioner transpired during investigation for being involved in the robbery.



04. Learned counsel for the petitioner submits that petitioner is not named in the FIR and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. Petitioner has been named in the case on the basis of confessional statement of co-accused, Faiyaz Alam, which has got no legal sanctity. The petitioner has got clean antecedent and has not been involved in any such type of occurrence.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the lack of substantive material against the petitioner to connect him with the offence as alleged and further considering possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj/court concerned in connection with Barauli P.S. Case No. 246 of 2018, subject to the condition laid down under



Section 438(2) of the Code of Criminal Procedure and other
following conditions:

- (i) One of the bailors will be a close relative of
the petitioner.
- (ii) The petitioner will remain present on each
and every date fixed by the court below, if so
required by the learned trial court.

(Arun Kumar Jha, J)

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