

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46247 of 2024

Arising Out of PS. Case No.-331 Year-2023 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Md. Asif Alam @ Md. Ashique Alam @ Aashik Alam, age about 22 years
(Male), S/O Manjur Alam @ Sanjur Alam, R/O Mohalla-Bhandar Chowk,
Kathalwari, Ward No.13, P.S.-L.N.M.U, Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar Jha, Advocate
For the Opposite Party : Mr. Satya Nand Shukla, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
L.N.M.U. P.S. Case No. 331 of 2023 dated 23.10.2023
registered for the offences punishable under Sections 356, 379,
411, 341, 323 and 324/34 of the I.P.C.

3. As per the prosecution case, when the informant
alongwith his villagers, Ganesh Kumar, Pawan Kumar and
Pankaj Kumar were walking under the *Katahalbari Over
Bridge*, in the meantime, three boys and one girl came and
snatched the mobile and Rs. 750/-in cash from the informant,
mobile and Rs. 250/-in cash from Ganesh Kumar and Rs. 100/-



in cash and the mobile of Pawan Kumar and Rs. 150/-in cash and the mobile of Pankaj Kumar. On hulla, local people came and apprehended the co-accused Suraj Kumar @ Suraj Sah and from his possession the mobile of Ganesh Kumar and knife were recovered and from possession of the co-accused Soni Kumari, mobile was recovered. The co-accused Suraj Kumar disclosed the name of the petitioner and the co-accused Md. Imtiyaz. He also disclosed that the mobiles of Pankaj Kumar and Pawan Kumar and cash were snatched by the petitioner and the co-accused Md. Imtiyaz. It is further alleged that in course of snatching, they also stabbed with knife to Ganesh Kumar, Pawan Kumar and the villagers who had apprehended them. The villagers went to the hospital for their treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that due to parking of Tempo, some scuffle took place between the co-accused Suraj Kumar and the informant in the night of 23.10.2023 at 2.30 A.M. under the *Kathalbari Over Bride*, and as such, both sides sustained injuries. The name of the petitioner has come in the present case on the basis of the confessional statement of the co-accused Suraj Kumar and the said co-accused Suraj Kumar has already



been granted bail by a Bench of this Court vide Cr. Misc. No. 31310 of 2024 under order dated 01.05.2024, annexed as Annexure-P/2 to the present bail application. No incriminating article has been recovered from the possession of the petitioner. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 24.10.2023.

5.Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Darbhanga in connection with L.N.M.U. P.S. Case No. 331 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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