

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52060 of 2024

Arising Out of PS. Case No.-550 Year-2023 Thana- MITHANPURA District- Muzaffarpur

MD. RIZWAN @ MOHAMMAD RIZWAN SON OF SYBEZAN R/O-
VILLAGE- CHHIT BHAGWATIPUR, P.S.- AHIYAPUR, DISTT.-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv.

For the Opposite Party/s : Mr.Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 13-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mithanpura P.S. Case No.550 of 2023 lodged under Sections
457 and 380 of the I.P.C. and further added section 411 of the
I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against unknown accused persons against whom there is
allegation of robbery of gold jewellery and 1.5 lac cash from the
house of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the petitioner is not named in the F.I.R., but subsequently by



virtue of confessional statement of co-accused person, namely, Jalaluddin, his name has been inserted in this case. Nothing has been recovered from his possession and he was not put on T.I.P.

5. Counsel for the petitioner submits that petitioner is in custody since 24.12.2023 having two criminal antecedent and in both cases, he is on bail.

6. Counsel further submits that the other co-accused who is Goldsmith from whose shop, cash money has been recovered, has been granted bail by this Hon'ble Court vide order dated 06.09.2024 passed in Cr. Misc. No. 23544/2024.

7. Learned counsel for the State opposes the prayer for bail and submits that it is true that the petitioner is not named in the F.I.R., but it is also true that by virtue of the different paragraphs of the F.I.R. as well as from the CDR of the accused persons, it become crystal clear that the petitioner was present in the said location of the house of the informant.

8. Counsel further submits that the confessional statement of the various accused persons supports the involvement of the petitioner in the present case.

9. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the



petitioner is hereby rejected, but liberty is hereby granted to the
petitioner that he may renew his prayer for bail after one year
from today.

(Dr. Anshuman, J.)

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