

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53398 of 2024

Arising Out of PS. Case No.-261 Year-2023 Thana- JALALPUR District- Saran

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Zakir Hussain @ Zakir Ansari Son of Sagir Miya @ Sagir Alam Resident of
Village - Safapur, Police Station - Manjhagarh, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Mishra, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jalalpur
P.S. Case No. 261 of 2023 instituted for the offences under
Section 392 of the Indian Penal Code.

3. As per prosecution case, three unknown miscreants
looted the motorcycle, mobile phone and a bag of the Informant
on the point of pistol.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
merely on the basis of suspicion. The petitioner is not named in
the F.I.R. as the same has been instituted against three unknown.



He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The alleged motorcycle has been recovered from the conscious possession of co-accused Bhim Kumar and the mobile phone from the possession of co-accused Rahul Pandey. The name of the petitioner came into light on the basis of confessional statement of the co-accused Vikash Pandey who has already been granted bail by this Court vide order dated 03.04.2024 passed in Cr. Misc. No. 27160 of 2024. No T.I.P. has been held. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has six criminal antecedents but, in all of them, he is on bail and is languishing in judicial custody since 20.02.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of



the like amount each to the satisfaction of Court
below/concerned Court in connection with Jalalpur P.S. Case
No. 261 of 2023.

(Rudra Prakash Mishra, J)

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