

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67758 of 2024

Arising Out of PS. Case No.-335 Year-2023 Thana- UJIYARPUR District- Samastipur

Md Dilnawaz @ Noso @ Dilnawaz Son of Atikur Rahman R/O Vill.-
Suapakar, P.O.- Rupauli, P.S.- Musrigharari, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Hussamuddin Azad, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Ujiyarpur P.S. Case No. 335 of 2023 instituted for the offence
under Section 392 of the Indian Penal Code.

3. Prosecution case, in a nutshell, is that when the
informant was on his way, he was accosted with three unknown
miscreants, whereafter, on the point of pistol, they looted Rs.
15,600/-, mobile phone and his medical bag and fled away.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 23.02.2024. Petitioner
bears two criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired in this case merely on the basis of confessional statement of the co-accused namely Heera Lal who has already been granted bail by this Bench vide order dated 07.03.2024 passed in Cr. Misc. No. 14041 of 2024. Petitioner was not put on TI parade. No incriminating article has been recovered from the conscious possession of the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, **after framing of charge, if not already framed**, 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 Ujiyarpur P.S. Case No. 335 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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