

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67149 of 2023

Arising Out of PS. Case No.-47 Year-2017 Thana- BARHARIA District- Siwan

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RIZWAN AHMAD @ RIZWAN SON OF LATE AKBAR MIYAN VIL-
LAGE-GOASIHATA, P.S BARHARIA, DISTRICT-SIWAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Meena Singh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Barharia P.S. Case No. 47 of 2017 registered for the offences under Section 382 of the Indian Penal Code.

3. As per prosecution case, four unknown miscreants fled away with Bolero vehicle of the informant and name of present petitioner transpired as one of the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to his criminal antecedent. Nothing incriminating has been recovered from the person or possession of the petitioner.



The petitioner has been named in the case in the confessional statement of co-accused Shahbaz Alam but it was at the instance of his enemies having inimical terms with the petitioner. The petitioner undertakes to co-operate in the trial of the case as and when required. Petitioner has got two criminal antecedents and he is on bail in both cases.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive materials against the petitioner and 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 bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned court of ACJM III, Siwan/court concerned in connection with Barharia P.S. Case No. 47 of 2017, subject to the conditions as 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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