

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69672 of 2024

Arising Out of PS. Case No.-271 Year-2023 Thana- JAGDISHPUR District- Bhojpur

Sajid Hussain @ Sajjad Hussain @ Sahjad Hussain S/O Arif Hussain
Resident of village - Moharu Tola, Pipra Kanak Kushi Nagar, Police Station -
Pateharwa, Dist- Kushi Nagar, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Najeeb Ahmad, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is praying for regular bail in a case
registered for the offence punishable under Sections 379 &
328/34 of the Indian Penal Code.

3. The case of the prosecution is that the informant is
a driver. His car was booked at 07:00 PM on 01.07.2023 by two
persons from Rajendra Nagar Station, Patna to Varanasi. The
informant had taken photographs of their Aadhar Card and sent
the same on Whatsapp to his elder brother. After some time, at
about 8 o' Clock, they stopped at a hotel near NH-30 for dinner.
After eating food, the informant felt intoxicated and his body
stopped working. Both persons asked the informant for the key



of the vehicle and the informant gave the key to one of the persons and they fled away with the vehicle. The informant had a mobile (Samsung Galaxy), cash of Rs.4,000/- and an ATM Card in the vehicle which was also taken away.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has not been named in the FIR. The petitioner's name transpired during investigation, on verification of his Aadhar Card through which his mobile number was also traced. It is further submitted that the police has neither found the stolen mobile nor stolen ATM and even the stolen vehicle from the possession of the petitioner. It has been submitted that the only material against the petitioner is confessional statement while he was in custody. The petitioner is having one criminal antecedent in which he is on bail. The petitioner is pursuing a Technical course in Lucknow, the copy of which is marked as Annexure-P/2.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with



Jagdishpur P.S. Case No.271 of 2023 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Bhojpur at Ara.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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