

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71612 of 2023

Arising Out of PS. Case No.-359 Year-2023 Thana- SABAUR District- Bhagalpur

1. Md. Sakim @ Rahul @ Md. Sakil S/O Md. Nejam R/O Village- English Lane, P.S- Lodipur, Distt.- Bhagalpur.
2. Md. Salim @ Bechan S/O Md. Inu R/O Village- English Lane, P.S- Lodipur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 01-02-2024 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 394, 411 of the Indian Penal Code.

Prosecution case in nutshell is that while the informant was returning to his home on his motorcycle bearing Reg. No. BR-01B-0694, petitioners along with co-accused person, on a motorcycle, bearing Reg. no. BR-10AM-3710, overtook him and pulled him down. It is further



alleged that accused persons showed him weapon and tried to snatch his motorcycle but nearby people gathered and caught hold the petitioners and one person fled away. Petitioners disclosed the name of fled away person as Bilta Yadav.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have falsely been implicated in the present case. The recovered motorcycle belongs to Md. Nezam ie. uncle of the petitioner No. 1, which is mentioned via supplementary affidavit. It is further submitted that petitioner's motorcycle suddenly came in the way of that of informant and due to which he fell down. Moreover, the petitioner is languishing in judicial custody since 03.07.2023. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the



case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail, after framing of charge, if not framed, in connection with Sabour (Goradih) P.S. Case No. 359 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhagalpur.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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