

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71676 of 2024

Arising Out of PS. Case No.-236 Year-2024 Thana- SITAMARHI District- Sitamarhi

Md. Raja @ Mehboob Raja S/O Md. Sadik @ Md. Sadir Resident of Mehsoul
Got, Ward No.38, Police Station and District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 22-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sitamarhi P.S. Case No. 236 of 2024 dated 05.04.2024, instituted for the offence punishable under Section 392 of the Indian Penal Code. Later on, Sections 395 and 414 of IPC has also been added.

3. The prosecution case, in short, is that, on 05.04.2024 at about 12:35 hours, the informant reached Sitamarhi Bus stand from Patna by Bus at 12:35 hrs and proceeded for his house situated at Laxminagar, Ward No. 38, Sitamarhi, on foot and in the way, near the Bazaar Samiti Gate, suddenly, five miscreants, groups of 20-25 years old, surrounded him and showing pistol, knife and blade abused, assaulted and



threatened to kill him and forcibly snatched his articles and cash of Rs. 8000/- from his pocket, mobile of Redmi Company, gold ring, Aadhaar Card and PAN Card. The informant has claimed to identify the miscreants upon seeing their face.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner has been made accused in this case only on the basis of confessional statement of co-accused Md. Shan @ Ehsaan. It is also submitted that no incriminating articles has been recovered from the conscious possession of the petitioner. No Test Identification Parade has been conducted till date in this case. It is further stated that similarly situated co-accused person namely, Md. Sakir has been granted bail *vide* order dated 18.10.2024 passed by this Court in Criminal Miscellaneous No. 75584 of 2024. Lastly, it has been submitted that the petitioner is in custody since 15.05.2024 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let



the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in Sitamarhi P.S. Case No. 236 of 2024.

(Khatim Reza, J)

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