

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70833 of 2023

Arising Out of PS. Case No.-39 Year-2022 Thana- SUGAULI RAIL P.S. District- West
Champaran

MD. SERAJ Son of Jafarulla Mian R/o vill - Ghorasahan Birta Chowk Ward
no. 01, Ps. - Ghorasahan, Distt. - East Chamaparan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Ramchandra Sahn

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered
for the offence punishable under Sections 401, 414 and 34 of the
Indian Penal Code.

3. As per prosecution case, petitioner was apprehended
on the spot from whose possession one I PAD, 8 apple I phone, 11
mobile phone of Redmi Company and one more Redmi mobile
phone were recovered.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case due to high
handedness of police. In fact, he has no concern with seized
mobile phones or with the other accused persons. He is a daily



wage worker and has been arrested while returning to his home after finishing his work, rather not from the place as alleged in the F.I.R. He has been made accused in this case only because he has two criminal antecedents. Charge sheet has been submitted in this case. The other co-accused namely Nesaruddin has already been granted bail by another co-ordinate Bench of this Court vide order dated 23.01.2024 passed in Cr. Misc. No. 61457 of 2023. Petitioner is languishing in judicial custody since 19.07.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-I, Bettiah, West Champaran in connection with GRPS Sugauli (Bettiah O.P.) P.S. Case No.39 of 2022.

(Sunil Kumar Panwar, J)

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