

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73156 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- AAJAM NAGAR District- Katihar

Md. Danish, aged about 29 years, Male, Son of Md. Saidur Rahman @ Saidul Rahman, Resident of Village - Shikarpur, P.S. - Balia Belown, District – Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajendra Prasad Sah, Advocate
For the Opposite Party : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Azamnagar P.S. Case No. 98 of 2024 dated 09.03.2024 registered for the offences punishable under Sections 395 of the I.P.C., 27 of the Arms Act and $\frac{3}{4}$ of the Explosive Substances Act.

3. As per the prosecution case, on 08.03.2024, 20-25 unknown miscreants holding lethal weapons are alleged to have entered the house of the informant with deadly weapons and committed dacoity of jewellery, cash, a mobile phone, D.V.R. and other articles from his house and fled away.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner is not named in the F.I.R. and his name has surfaced in the present case on the basis of the confessional statement of the co-accused persons, Md. Akil @ Sk. Akil, Jakir Hussain @ Md. Jakir, Muneshwar Kewat, Israil, Arvind Ghosh, Shirpoti Yadav @ Sripati Yadav and Hiral Lal Ray and except this, there is no other substantive evidence to suggest his implication in the present case. There is no recovery from his possession. No T.I. Parade has been done. There is no direct, indirect or circumstantial evidence against him. The other co-accused persons, Md. Akil @ Sekh Akil and Zakir Hussain @ Md. Jakir have already been granted bail by a Bench of this Court vide Cr. Misc. No. 49041 of 2024 under order dated 29.08.2024 and Cr. Misc. No. 53257 of 2024 under order dated 12.09.2024 respectively, annexed as Annexure-P/2 to the present bail petition. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 03.08.2024.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, be enlarged on bail on



furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar, in connection with Azamnagar P.S. Case No. 98 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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