

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77602 of 2024

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

1. Md. Salam @ Abdul Salam @ Salam S/O Hajrat @ Hajarat Ali Resident of Village - Rampur P.S- Dagarwa, Distt.- Purnea.
2. Fakira @ Md. Fakir S/O Md. Yasin Resident of Village -Bhabhani Rahika Barsauni, P.S- Purnea Sadar, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh
For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-11-2024 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Azam Nagar P.S. Case No. 98 of 2024 dated 09.03.2024 registered for the offence/s punishable u/ss 395, 397 and 412 of the Indian Penal Code and Section 27 of the Arms Act and ¾ of the Explosive Act.

3. As per the prosecution case, 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 petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not named in the FIR. The name of the petitioners has surfaced during the course of the investigation. Nothing has been recovered from the conscious possession of the petitioners. Similarly situated co-accused has already been granted regular bail by this court *vide* order dated 29.08.2024 passed in Cr. Misc. No. 49041 of 2024. The petitioner no. 1 has three criminal cases and the petitioner no. 2 has six criminal cases as stated in para 3 of the bail petition. The petitioners are in custody since 04.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Azam Nagar P.S. Case No. 98 of 2024, with the following condition/s:-

(i). The petitioners are directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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