

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83312 of 2023

Arising Out of PS. Case No.-264 Year-2022 Thana- KISHANGANJ District- Kishanganj

MD. NAUSHAD ALAM @ MD. NOSAD SON OF MD. ISHAK @ MD.
ISHAK ANSARI R/O - DAMAL BARI, P.S.- DIGHALBANK, DISTRICT-
KISHANGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 392 of the Indian
Penal Code.

The prosecution case in nutshell is that 4
miscreants on two motorcycles surrounded the informant
and snatched Rs. 55,000/- and three mobiles on the
point of pistol and fled away. It is further alleged that
informant has seen one motorcycle bearing Reg. No.



WB-92-3699.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor he has been put on T.I.P. The name of petitioner sprang up in this case on the basis of ownership of the motorcycle bearing Reg. No. WB-92-3699, which is alleged to be recovered from the house of petitioner belongs to the petitioner itself and he had purchased the same from Salman Farsi Rahmani through the agreement dated 05.03.2021. Moreover, the petitioner is languishing in judicial custody since 16.07.2023. A statement has been made in para 3 of the petition that petitioner has 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 petitioner on bail.

The above named petitioner is directed to be enlarged on bail, **after framing of charge, if not framed** in connection with Kishanganj P.S. Case No. 264 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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