

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84730 of 2023

Arising Out of PS. Case No.-302 Year-2022 Thana- MOUZAHDIPUR District- Bhagalpur

Md. Aamir S/O Abdus Subhan @ Md. Abdus Subhan R/O Mohalla-
Moazzamchak, P.S- Habibpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md.Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Mojahidpur P.S. Case No. 302 of 2022 for the offence registered
under Section 392 of the Indian Penal Code.

3. As per the prosecution case, when labourers were
returning after completing daily works under the project for
clean Ganga, 3-4 unknown miscreants came near the tractor
armed with weapon and assaulted the workers and snatched
cash of Rs. 2,500/-, four mobile phones and other articles and
damaged the tractor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. Petitioner is not named in the F.I.R. His name has been



surfaced in the confessional statement of co-accused. He was not arrested on the spot. Nothing incriminating has been recovered from possession of the petitioner. Petitioner has three criminal antecedents, in which he is on bail. He is in custody since 20.07.2023. It is further submitted that similarly situated co-accused, namely, Md. Badal has been granted bail by a Co-ordinate Bench of this Court, vide order dated 18.05.2023 passed in Cr. Misc. No. 21015 of 2023.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Mojahidpur P.S. Case No. 302 of 2022.

(Sunil Dutta Mishra, J)

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