

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86605 of 2023

Arising Out of PS. Case No.-213 Year-2023 Thana- SONBERSA District- Sitamarhi

Md. Nijam Son Of Ali Imam Nadaf @ Alimam Nadaf Resident Of Village -
Bhalhi Ward No.13 @ Bhalhi, P.S. - Bathaha, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv.

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sonbarsa P.S. Case No. 213 of 2023 instituted for the offences
under Sections 394, 397 of the Indian Penal Code.

3. As per prosecution case, four unknown miscreants
made robbery in the house of the Informant and took away cash
amounting Rs. 50,000/-, jewelries, mobile with SIM and other
household articles and fled away from there after locking the
Informant and his family members in the house.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case due to dirty village politics and biased intention. He
further submits that the petitioner is not named in the F.I.R. and
his name has surfaced in this case on the basis of confessional



statement of one co-accused/Pradip Rai. Nothing incriminating has been recovered from the possession of the petitioner. No T.I.P. has been conducted in this case. He further submits that the petitioner has four criminal antecedents out of which he is on bail in two of the cases. Learned counsel for the petitioner submits that the similarly situated co-accused/Pradeep Ray @ Pradip Rai has been granted bail by a Co-ordinate Bench of this Court vide order dated 04.01.2024 passed in Cr. Misc. No. 83164 of 2023.

5. The petitioner is in custody since 11.08.2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonbarsa P.S. Case No. 213 of 2023.

(Rudra Prakash Mishra, J)

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