

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85393 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- KOTHI District- Gaya

Chhotu Khan @ Ahamad Ali @ Amjad Ali Son of Pakri Alam @ Fakare Alam
@ Phakre Alam Resident of Village - Kothi, P.O. Kothi, P.S. - Kothi, Dist.-
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shadab Akhter, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Kothi P.S. Case No. 50 of 2023 registered under Section
392 of the Indian Penal Code lodged on 11.05.2023 by the
informant, Rajesh Kumar.

As per the prosecution story, the informant alleged
that after collection of the amount, as he was moving to the
branch, unknown persons intercepted and took away the
collected amount (Rs. 2,39,468/-) as also the electronic gadgets.
Accordingly, the FIR.

The police during the investigation picked up Zishan
Khan @ Sharik Khan & Talib Khan and whose confession



motorcycle and other incriminating articles were recovered. The name of the petitioner has come in the confessional statement and the learned Sessions Judge has taken note of his involvement in different paragraphs of the case diary.

Learned APP for the State opposes the prayer for bail.

Though, learned counsel for the petitioner submits that he has no criminal antecedent, his name has come in the confessional statement, the same will be considered only when he surrenders and prays for bail. However, in view of the fact that co-accused persons, namely, Zishan Khan @ Sharik Khan & Talib Khan are in judicial custody and their bail petition also stands rejected by the learned Trial Court, it would be appropriate that the petitioner surrenders and move for bail.

Cr. Misc. No. 85393 of 2023 stands rejected.

(Rajiv Roy, J)

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