

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1954 of 2024

Arising Out of PS. Case No.-487 Year-2022 Thana- LAHERIMUHALLA District- Nalanda

Hassan @ Sanjay @ Sajay Son of Late Majo Miya R/o Mohalla - Kohna
Sarai, P.S. - Laheri, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Laheri P.S. Case No. 487/2023 lodged on 04.10.2022 under
Sections 394, 307 of the Indian Penal Code and Section 27 of
the Arms Act.

3. As per the prosecution case, the FIR has been
lodged against four unknown accused persons against whom
there is an allegation that they entered into the house of the
informant and demanded the key of the locker, but on the refusal
of the same, they assaulted the informant with the butt of the
pistol on the left head due to which bleeding started from his
head. Thereafter, another accused person fired on the left arm of
the informant, as a result of which the informant got badly



injured. The accused persons are also alleged to have committed loot of several valuable articles including the jewellery of gold and silver.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR, rather his name has surfaced in the present case by virtue of the confessional statement of co-accused Md. Chhotu @ Shahnabaj @ Shahban against whom there are altogether eight more criminal cases are pending. The said accused Md. Chhotu @ Shahnabaj @ Shahban has been granted bail by a co-ordinate Bench of this Court vide order dated 04.12.2023, passed in Criminal Miscellaneous No. 76608 of 2023. The other similarly situated co-accused have been granted bail by different co-ordinate Benches of this Court vide order dated 07.07.2023 and 07.08.2023 passed in Criminal Misc. No. 10144/2023 and Criminal Misc. No.47223/2023 respectively, as contained in Annexure -2 series. Counsel further submits that neither any incriminating article has been recovered from the possession of the petitioner nor the petitioner has been put on the Test Identification Parade. The petitioner is in custody in the present case since 30.05.2023 and seven more criminal cases are pending against him.



5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Nalanda, Bihar Sharif, in connection with Laheri P.S. Case No. 487/2022, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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