

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86179 of 2023

Arising Out of PS. Case No.-1005 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Afroz Alam S/O Md. Munna @ Munna Miyan Village- Ajagari Masjid Tola,
Ps. Banjariya (Turkauliya), Dist. East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered
for the offence punishable under Section 392 of the Indian Penal
Code.

3. As per prosecution case, while the informant was
going to his house from Motihari on the splendor Motorcycle, in
the way three miscreants boarded on a white colour Apache
motorcycle came and overtook motorcycle of the informant. They
threatened to kill the informant and snatched his mobile, bag,
Aadhar Card, Cash of Rs. 500/- and motorcycle and fled away.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case on the basis of
his confessional statement before the police, which has no



evidentiary value in the eye of law. Neither the petitioner is named in the F.I.R. nor arrested on the spot, only mobile has been recovered from his possession which is planted one. He has no concern with the alleged occurrence. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 01.10.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Motihari, East Champaran in connection with Turkauliya (Banjariya) P.S. Case No. 1005 of 2023.

(Sunil Kumar Panwar, J)

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