

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87657 of 2024

Arising Out of PS. Case No.-97 Year-2024 Thana- AMDABAD District- Katihar

Ijmaul Haque S/o- Isrul R/O Village- Bouliya Gumti Tola, Ward No. 8, P. S-
Manihari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Amdabad P.S. Case No. 97 of 2024 instituted for the offences
under Section 395 of the Indian Penal Code.

3. As per prosecution case, six unknown miscreants
boarded on two motorcycles intercepted the Informant,
assaulted him and snatched his bag containing Rs. 50,000/- cash
and other belongings and fled away from there.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is not named in the F.I.R. and his name has



surfaced in this case on the basis of the confessional statement of the co-accused Md. Naim. He further submits that nothing incriminating/looted article has been recovered from the conscious possession of the petitioner. The petitioner was not put on T.I.P. He further submits that except confessional statement of the co-accused and his own confession, nothing adverse has come against the petitioner. Charge-sheet has been submitted in this case. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 29.05.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Ajay Kumar Singh and Md. Israil @ Md. Ijrail have already been granted bail by this Court vide orders dated 05.10.2024 & 25.10.2024 passed in Cr. Misc. Nos. 71183 of 2024 and 76599 of 2024 respectively.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also the claim for bail being based on



parity, 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 Amdabad P.S. Case No. 97 of 2024.

(Rudra Prakash Mishra, J)

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