

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7300 of 2024**

Arising Out of PS. Case No.-1376 Year-2022 Thana- PHULWARISHARIF District- Patna

1. Md Ejaj Hasan @ Kuku Son Of Ali Hasan @ Bega @ Aalley Hasan Vill-Malikana, Ps-Masaurih, Patna
2. Md. Raushan @ Md. Raushan Alam Son Of Ali Hasan @ Bega Vill-Malikana, Ps-Masaurih, Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Satish Kumar

For the Opposite Party/s : Mr.Anil Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      17-02-2024                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners have prayed for grant of bail in connection with Phulwari sharif P.S. Case No. 1376 of 2022 registered under section 395 of the Indian Penal Code.

As per FIR, five accused persons are alleged to have come to informant on two motorcycles armed with pistol entered his shop and looted cash of Rs. 25,000/- and two cheques of Rs. 5,00,000/- each of Kotak Mahindra Bank along with two mobile phones of his staff.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. The petitioners are not named in FIR rather their name came into light in this case during



investigation on the basis of confessional statement of co-accused Bikash Kumar which has got no evidentiary value in the eye of law. Nothing looted articles have been recovered from the possession of the petitioners. Similarly situated other co-accused persons have already been granted bail by another co-ordinate Benches of this Court vide Annexure-2 series of this petition. Moreover, they are languishing in judicial custody since 24.02.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Phulwari sharif P.S. Case No. 1376 of 2022 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., XIV cum Sub-Judge XIV, Patna.

(Sunil Kumar Panwar, J)

Shubham/-

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