

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9669 of 2025

Arising Out of PS. Case No.-232 Year-2023 Thana- JANKINAGAR District- Purnia

Md. Imtiyaz Son of Md. Usman Resident of Village - Laxmipur Birnagar,
Police Station - Bhargawan, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Bhagat, Advocate
For the State : Mr. Murli Dhar, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Janki Nagar P.S. Case No. 232 of 2023,
dated 08.11.2023, registered for the offences punishable under
Section 392 of IPC and Section 27 of the Arms Act.

3. As per allegation, robbery has been committed by
the petitioner and other three co-accused persons.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that that the FIR has been lodged
against the four unknown persons. He further submits that the
petitioner has nothing to do with the alleged offence and he has
no connection at all with the alleged robbery. He further submits



that name of the petitioner has transpired only in the confessional statement of Mistu Kumar before the police which is not admissible in evidence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has two criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, particularly inadmissible material against the petitioner, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea, in connection with Janki Nagar P.S. Case No. 232 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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