

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19024 of 2025

Arising Out of PS. Case No.-54 Year-2024 Thana- SAHIYARA District- Sitamarhi

Samsuddin Nadaf (M), aged about 46 years, S/o Hussain Nadaf, Resident of village- Jainagar, PS- Sonbarsa, Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned APP for the State.

2.The petitioner is in custody in a case registered for the offence punishable under Section 395 of the Indian Penal Code.

3. As per allegation in the FIR, 7 to 10 people armed with weapons broke the lock of main gate and entered inside the house of the informant pointed a pistol at him and his wife and threatened to give the key of cupboard. After looting they locked the informant and his wife in the room and ran away with 1 lakh cash, 2 gold chain and all the others goods mentioned in the report.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that petitioner is not named in the FIR and he is in



custody since 09.07.2024. Petitioner has got two criminal antecedents as stated in para-3 of the petition.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of the first information report and impugned order dated 04.02.2025, it appears that the name of the petitioner transpired on the basis of confessional statement of co-accused Amit Kumar and Md. Nizam, save and except, nothing has been recovered from the possession of the petitioner and no test identification parade has been held till today and he is in custody for more than nine months, so considering all aspects of the case, I am inclined to grant bail to the petitioner.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Sitamarhi in connection with Sahiyara P.S. Case No. 54 of 2024, subject to the conditional that petitioner shall remain present physically on each and every date till conclusion of the trial.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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