

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18956 of 2025

Arising Out of PS. Case No.-456 Year-2018 Thana- CHANPATIA District- West Champaran

Ashraf Sai @ Ambuj Sai Son of Mahmood Sai Resident of Village -
Bishakbharpur, Ward No. 05, P.S. - Majhauria, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sharad Kumar Verma, Advocate
For the State	:	Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 394 of the Indian Penal Code.

3. As per prosecution case, four unknown miscreants
riding on two motorcycles on gun point looted cash of
informant.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is quite innocent and has
falsely been implicated in this case. Name of petitioner
transpired in this case on the basis of confessional statement of
co-accused Jakir Mian, who has already been granted bail by a



Co-ordinate Bench of this Hon'ble Court vide order dated 28.03.2019 passed in Cr. Misc. No. 18946 of 2019. Save and except confessional statement, there is no material on record to show the complicity of this petitioner in the alleged occurrence. It is further submitted that petitioner is in custody since 29.10.2024, however, till date, he has not been put on T.I. parade. In a case registered against unknown persons, it is obligatory on the part of prosecution to put the accused persons on T.I. parade to ensure identification and participation of accused in the crime. It is lastly submitted that similarly situated co-accused persons, namely Tabrej Alam, has already been granted bail by this Hon'ble Court vide order dated 30.07.2021 passed in Cr. Misc. No. 26502 of 2021.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the nature of accusation, tardy progress of trial, claim based on parity and period of custody, the prayer for grant bail of to the petitioner is allowed.

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, 1st Class, Bettiah,



West Champaran in connection with Chanpatia P.S. Case No.
456 of 2018.

(Prabhat Kumar Singh, J)

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