

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30496 of 2025**

Arising Out of PS. Case No.-71 Year-2024 Thana- BHARGAMA District- Araria

Md. Aslam, aged about 24, Male, Son of Md. Mophil, Resident of Village-
Ward No. 10, Kadmaha, Naya Bhargama, P.S.- Bhargama, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER**

2 15-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bhargama P.S. Case No. 71 of 2024 instituted for the offences
punishable under Section 392 of the Indian Penal Code.

3. As per the prosecution case, two unknown persons
riding on a motorcycle overtook the informant and his staff and
intercepted on the gun point and took away an amount of Rs.
85,770/- along with mobile phone and Tab.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case merely on the basis of mere
suspicion. He submits that the petitioner is not named in the
FIR. He further submits that neither the petitioner was arrested



at the spot nor incriminating articles has been recovered from the conscious possession of the petitioner. He next submits that petitioner is not put on Test Identification Parade till date. He lastly submits that the petitioner has been made accused only on the basis of confessional statement of co-accused Md. Juber. Petitioner is in custody since 18.02.2025.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned 1st, Additional Sessions Judge-cum-Special Judge, Araria dated 17.04.2025, it appears that petitioner is not named in the FIR. From perusal of the records, it appears on the basis of fardbeyan of the informant namely Gautam Kumar, FIR has been lodged under Section 392 of the Indian Penal Code against unknown persons. During investigation the name of the petitioner has been surfaced only on the basis of confessional statement of co-accused Md. Juber. From perusal of the records, it also appears that investigation has completed and chargesheet has already been submitted in this case and no Test Identification Parade has been conducted till date, so consider all these aspects of the mater, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is



allowed. Let the petitioner above named 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 the learned Judicial Magistrate-1st, Class, Araria in connection with Bhargama P.S. Case No. 71 of 2024.

(Ramesh Chand Malviya, J)

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