

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86197 of 2024

Arising Out of PS. Case No.-498 Year-2023 Thana- BAISI District- Purnia

Md. Rahat @ Rahat S/O Isahak Resident of Pandyale, P.S.- Baisi District-
Purnea

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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

ORAL ORDER

2 07-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in case registered for
the offence punishable under Sections 341 323, 324, 307,
379/34 and 302 of the Indian Penal Code.

3. As per allegation in the FIR, one co-accused person
and six unknown persons on threatening the husband of the
informant by weapon, snatched one ATM, one mobile phone, 10
grams gold chain along with Rs.10,000/- cash and also assaulted
the husband of the informant.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that FIR has been lodged against unknown person and
the FIR was filed on 26.12.2023 whereas the occurrence was
occurred on 20.12.2023 and the delay was not explained by the



informant and there is no eye witness of the alleged occurrence and petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 05.08.2024. He next submits that the deceased had stated to his wife during treatment that co-accused Md. Mujahir and six other unknown persons have assaulted the husband of the informant but the petitioner has not been named by the informant. It is further submitted that co-accused has already granted bail in Cr. Misc. No. 43655 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of incarceration of the petitioner, 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 Chief Judicial Magistrate, Purnea in connection with Baisi P.S. Case No. 498 of 2023.

(Ramesh Chand Malviya, J)

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