

# Md. Raza @ Md. Raja @ Md. Rashid Ali Khan @ ... vs The State Of Bihar on 23 July, 2018

**Author: Sanjay Kumar**

**Bench: Sanjay Kumar**

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Miscellaneous No.36490 of 2018  
Arising Out of PS.Case No. -368 Year- 2017 Thana -M AUZAHIDPUR Distri  
=====

Md. Raza @ Md. Raja @ Md. Rashid Ali Khan @ Md. Rashid Khan, Son  
of Md. Domi @ Shoaibuddin, resident of mohalla- Ganichak, Police  
Station- Mojahidpur, District- Bhagalpur.

Versus

1. The State of Bihar.

.... .... Opposite Part

=====

Appearance :  
For the Petitioner/s : Mr. Praveen Kumar  
For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh  
=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR  
ORAL ORDER

3 23-07-2018

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Mojahidpur Police Station Case No. 368 of 2017 registered for an offence punishable under section 392 of the Indian Penal Code.

The informant has alleged that when he along with his friend Md. Aftab Alam was returning to his house by a car and reached near the place of occurrence, this petitioner and co- accused Chottu armed with pistol intercepted his vehicle and on the point of gun took away Rs.33,000/-, three ATM cards from his possession and one mobile phone and cash Rs. 8000/- from his friend Md. Aftab Alam.

It has been submitted that the petitioner is at inimical term with the police as earlier he was spy of police and when he stopped spying, the police implicated in the present case with false and frivolous allegation. The petitioner voluntarily surrendered before the court below and he is in custody since 13.02.2018.

On perusal of record, I find that the petitioner and co- accused Mohd. Chhotu are named in FIR and both of them were identified by the informant and his friend. The co-accused Md. Chhotu was apprehended immediately within 7 hours of the occurrence and from his possession, a country made pistol, three stolen mobiles and three ATM cards and Rs.10,000/- were recovered. I further find that the petitioner is involved in two more criminal cases of similar nature.

Considering the specific allegation of committing robbery, facts and circumstances of the case, the prayer for bail of the petitioner stands rejected.

(Sanjay Kumar, J) Mahesh/-

U

T