

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24860 of 2015

Arising Out of PS.Case No. -86 Year- 2014 Thana -RAUTA District- PURNIA

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Md. Parwez Alam S/o Late Mujibur Alam Resident of village - Shishabari,
P.S. Rوتا, District – Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Adv

For the Opposite Party/s : Mr. Manish Kumar 2(APP)

For the Informant : Mr. Kamal Kishor Singh, Adv

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 24-08-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-363 and 364(A) of the Indian Penal Code and that from perusal of the case diary, it becomes very clear that in the earlier statement of the victim, neither he had named the petitioner nor he had even stated about snatching of the cash of Rs. 54,000/-, two ATM Cards and a cheque of Rs. 1,00,000/- of the School allegedly in possession of the victim, all of which has been introduced by the victim in the statement under Section



164 Cr.P.C, which has been recorded after more than two days of the recovery of the victim, this Court keeping in view that the petitioner has got no criminal antecedent would be inclined to grant the privilege of anticipatory bail to the petitioner.

That being so, if the petitioner namely, **Mr. Parwez Alam**, surrenders within a period of four weeks from today, he would 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 **S.D.J.M., Purnea** in connection with **Routa P.S. Case No. 86 of 2014**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) That the court below shall make verification of criminal antecedent of the petitioner and if it is found that he is accused in any other criminal case, he shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be close relative of the petitioner who will give an affidavit

giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(iii) That the bailor shall also state on affidavit that they will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on the date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(v) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

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