

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32688 of 2016

Arising Out of PS.Case No. -482 Year- 2010 Thana -MADHEPURA District- MADHEPURA

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Md. Azad S/o late Md. Majeed, Resident of Village- Bhirkhi , Ward No. 26,
P.S. Madhepura district Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha Md. Naushaduzzoha

For the Opposite Party/s : Sri Binod Kumar No. 3

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 20-08-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Madhepura P.S. Case No. 482 of 2010 registered
for offences under sections 457, 380 and 411 of the Indian Penal
Code.

As per the allegation, a theft was committed in the
house of Chief Judicial Magistrate. The name of the petitioner has
come during investigation through the confessional statement. The
court below rejected the bail of the petitioner, giving observation
that he may renew his prayer for bail after completion of period of
custody of co-accused, Md. Yusuf.

The counsel for the petitioner submits that nothing

has been recovered from the possession of the petitioner, who is unnecessary in jail since 29.04.2016.

Looking to the facts and circumstances of the case, let the petitioner, above named, be released on bail on his 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, Madhepura in connection with Madhepura P.S. Case No. 482 of 2010, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail (iii) the petitioner would cooperate in the proceeding of the court below. In event of failure to appear on two consecutive dates without any valid reason, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

Mahesh/-

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