

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28960 of 2017**

Arising Out of PS.Case No. -598 Year- 2016 Thana -ARARIA District- ARRARIA  
=====

1. Md. Soeb @ Soeb Son of Late Sakur, Resident of Village- Haldiya, Ward No.14, P.S.- Simraha (Forbesganj), District- Araria.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s  
=====

**Appearance :**

For the Petitioner/s : Mr. Gopal Kumar Jha

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5  
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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      03-08-2017                      Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is languishing in custody since 20.10.2016 in connection with Araria P.S. Case No. 598 of 2016 (G.R. No. 3008 of 2016) for offences punishable under Sections 379 and 411 of the Indian Penal Code.

The prosecution case is that while the informant had gone to Civil Court, Araria for filing the bail bonds of his brother and left his motorcycle out side the court, on return he found his motorcycle missing.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the First Information Report and just because some cases are pending against him of



similar nature, and his own confessional statement and confessional statement of co-accused, Belal, before the police which has no evidentiary value in the eye of law, he has been made accused. He further submits that charge-sheet has already been submitted and considering the period of custody, sympathetic consideration may be given.

However, learned APP for the State opposes the prayer for bail.

Be that as it may, let the petitioner, above named, be enlarged 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, Araria, in connection with Araria P.S. Case No. 598 of 2016 (G.R. No. 3008 of 2016), subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on three consecutive dates without assigning any reason will entail cancellation of his bail bonds. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the



prosecution will be at liberty to move the court below for  
cancellation of his bail bonds.

**(Nilu Agrawal, J)**

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