

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53133 of 2017

Arising Out of PS.Case No. -172 Year- 2017 Thana -JAKKANPUR District- PATNA

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1. Md. Miraj @ Manna, son of Abul Quyyuam Ansari @ Abdul Quyyum,
resident of Mohalla- Purani Emarat-E-Sarya, P.S.- Phulwarisarif, District-
Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Rajeev

For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-11-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Jakkanpur P.S.Caes No.172 of 2017 registered for offences
punishable under Sections 379/34 of the Indian Penal Code.

The petitioner is not named in the FIR. The case relates to
recovery of Tata Sumo vehicle and it further appears that the
petitioner has criminal antecedent also.

Submission of the learned counsel for the petitioner is that
except confession nothing has been recovered from his possession
rather after his arrest in one case, he has been remanded in other
cases including this case. He is in custody for more than three
months and the other co-accused have already been granted bail
by this Court, vide order dated 9.11.2017 passed in Cr. Misc.



No.52952 of 2017

Heard learned A.P.P. also, who has not denied the fact that recovery is not from the possession of this petitioner.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Judge-I-cum-A.C.J.M., Patna in connection with Jakkanpur P.S.Case No.172 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.
- (iv) He shall appear before the concerned police station in the first week of every month for a period of one year so that the police may watch his conduct otherwise his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)



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