

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58811 of 2018

Arising Out of PS.Case No. -40 Year- 2018 Thana -JHANJHARPUR District- MADHUBANI

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Md. Chand, Son of Md. Khursaid Alam, Resident of Naka No.2,
Darbhanga, P.S.- Vishwavidyalaya, Darbhanga, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Adv.

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 09-10-2018 Heard learned counsel for petitioner and learned A.P.P.
for the State.

Petitioner seeks bail in Jhanjharpur P.S. Case No.
40/2018 (G.R. No. 276/2018), registered for the offences
punishable under Section 395 and 412 of the Indian Penal Code.

It is alleged that while the informant was returning after
collection of dues, five persons on two motorcycles came and
looted money, cheque, and mobile and fled away. Out of them,
one accused person was apprehended who confessed his guilt and
named the petitioner.

It has been submitted that petitioner has falsely been
implicated in this case. His name has surfaced in this case on
confession of co-accused. No incriminating articles have been



recovered from his possession. Other co-accused has been granted anticipatory bail by a coordinate bench of this court vide order dated 07.08.2018 passed in Cr. Misc. No. 45934/2018.

Petitioner has no criminal antecedent. He is in custody since 04.08.2018.

Considering the facts aforesaid, the petitioner above-named, is directed to 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 Additional Chief Judicial Magistrate Ist, Jhanjharpur, Madhubani in connection with Jhanjharpur P.S. Case No. 40/2018 (G.R. No. 276/2018), subject to the conditions:

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bonds.
- (3.) If the petitioner tampers with the evidence



or the witnesses of the case, in that case,
prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(S. Kumar, J)

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