

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59221 of 2018

Arising Out of PS. Case No.-86 Year-2017 Thana- CHANPATIA District- West Champaran

Tabrej Alam Son of Murtuza Miyan Resident of Village- Barwa Chap, P.S.
Chanpatia, District- West Champaran,.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 10-10-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Chanpatia P.S. Case No. 86 of 2017** registered for the offence punishable under Sections 394 of the Indian Penal Code.

Informant in his written complaint has stated that when he was coming from his Platina Motorcycle then four unknown motorcycle borne miscreants stopped him on the point of pistol and thereafter snatched his motorcycle and black colour bag containing Rs. 27,000/- cash, cheque of Rs. 13,000/-, driving license, vehicle papers, sweater, cap and ledgers. FIR is against unknown.

It has been submitted on behalf of the petitioner that the petitioner has committed no offence and has been falsely implicated in this case. The name of the petitioner has surfaced



in this case on the basis of his own confession. It has been further submitted that TIP of the petitioner has also not been conducted. Nothing has been recovered from the possession of the petitioner. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 16.07.2018 in Criminal Miscellaneous No. 41843 of 2018. Petitioner has got no criminal antecedent and is in custody since 04.01.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-V, West Champaran, Bettiah**, in connection with **Chanpatia P.S. Case No. 86 of 2017**, with following 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 bond.

(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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