

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.44562 of 2018**

Arising Out of PS. Case No.-123 Year-2014 Thana- DARBHANGA District- Darbhanga

Md. Badrul Khan son of Late Abdul Qaum Khan resident of Mohalla -  
Lalbagh, Pani Tanki, Police Station - Town, District – Darbhanga  
... Petitioner

Versus

The State of Bihar ... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Girish Chandra Jha, Adv.

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP 100

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      30-07-2018                      Heard the learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Town P.S. Case No. 123 of 2014 registered for offences punishable under Sections 457 and 380 of the Indian Penal Code.

Petitioner is named in the first information report and there is allegation of committing theft against the petitioner.

Submission of the learned counsel for the petitioner is that final form has been submitted in this case against the petitioner not finding the case true, but, the Magistrate differing with the final form has taken cognizance against the petitioner. The petitioner has no criminal antecedent.

Heard learned Additional Public Prosecutor also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, named above, in the event of arrest or surrender before the Court below, within



a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (rupees twenty-five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga, in connection with Town P.S. Case No. 123 of 2014 subject to the condition as laid down under Section 438(2) of the Criminal Procedure Code as well as 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 evidence.

(III) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

Shamshad/-

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