

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43581 of 2018

Arising Out of PS.Case No. -254 Year- 2018 Thana -FORBESGANJ District- ARRARIA

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Md. Mahfooj Son of Md. Soheed Resident of Village - Amhara, P.S. -
Forbesganj, District Araria, Bihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Ravish, Adv.
Mr. Sanjay Kumar Sharma, Adv.
For the Opposite Party/s : Mrs. Suman Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 25-09-2018 Heard learned counsel for petitioner and learned A.P.P.
for the State.

The petitioner seeks bail in Forbesganj P.S. Case No.
254/2018 (G.R. No. 1054/2018), registered for the offence
punishable under Section 380 of the Indian Penal Code.

Informant has alleged that on 11.04.2018, while he was
sleeping, theft was committed in his house. In the morning, he
found his motorcycle, T.V., mobile, set-top box, A.T.M. card and
Rs. 5,000/- cash were taken away by the accused.

It has been submitted that petitioner has falsely been
implicated in this case. Name of petitioner has surfaced in the case
on the basis of confessional statement of co-accused. Nothing has
been recovered from possession of petitioner.

Petitioner has no criminal antecedent, but after being
made accused in this case, he has been remanded in other cases.



He is in custody since 21.04.2018.

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 Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 254/2018 (G.R. No. 1054/2018), 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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