

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47266 of 2018

Arising Out of PS.Case No. -8 Year- 2018 Thana -KALYANPUR District- EASTCHAMPARAN
(MOTIHARI)

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1. Majhar @ Majahir Miya @ Manjhar Mian @ Mozahir Mian, Son of
Mohammad Hadish @ Hadis Miya, resident of Village Ratwara Chandan
Paroo, Police Station- Saraiya, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-09-2018 Heard the parties.

The petitioner seeks regular bail in connection with
Kalyanpur P.S.Case No.8 of 2018 registered for offences
punishable under Section 392 of the Indian Penal Code.

Allegation against the petitioner as per FIR is that two
miscreants have stopped the motorcycle of the informant and
when he stopped the motorcycle, his bag containing money, ,
biometric device and solar light were taken away by the accused
person.

Submission of the learned counsel for the petitioner is that
he is not named in the FIR and later on his name transpired during
the course of investigation of the case on confessional statement of



the co-accused and so far criminal antecedent is concerned, he is on bail in both the cases. The petitioner is in custody since 23.2.2018.

Heard learned A.P.P. also.

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 CJM, East Champaran, Motihari in connection with Kalyanpur P.S.case no.8 of 2018

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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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