

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4404 of 2019

Arising Out of PS. Case No.-729 Year-2018 Thana- ARARIA District- Araria

MD. AFAQUE S/o- Hazi Salimuddin, Resident of Village- Sisauna, Ward No.-1 P.S. and District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Thakur

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 31-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Araria P.S. Case No. 729 of 2018** registered for the offence punishable under Section 379 of the Indian Penal Code.

Informant has alleged that while he had parked his motorcycle outside his house and when he was returning he saw three miscreants fleeing with the motorcycle and on chase, two managed to escape with the motorcycle, however, petitioner fell down and was apprehended.

Petitioner has got no criminal antecedent and there was dispute between the parties and he has been falsely implicated in this case. Petitioner is in custody since 26.10.2018.

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 **Chief Judicial Magistrate, Araria**, in connection with **Araria P.S. Case No. 729 of 2018**, 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(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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