

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8547 of 2019

Arising Out of PS. Case No.-586 Year-2017 Thana- NARPATGANJ District- Araria

SUBHAN @ SUBHAN MIAN, aged about 36 years, (M) Son of Md. Khattru
Resident of Village - Piparaghat Tappu Tola, P.S.- Jogbani, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Narpatganj P.S. Case No. 586 of 2017** registered for the offence punishable under Section 379 of the Indian Penal Code.

Informant has alleged in his written complaint that while he was coming on motorcycle on 22.12.2017 after collecting amount of Rs. 1,51,090/- at about 3:30 P.M. he parked his motorcycle in order to attend a phone call and meanwhile two miscreants on motorcycle stole away the cash amount kept in dicky and also stole some electronic gadgets and his mobile.

It has been submitted on behalf of the petitioner that he



is innocent and has been falsely implicated in this case on the basis of confession of Raushan Kumar and except said confession there is no other incriminating material found against him. Nothing has been recovered from his possession and although informant has made a statement in his FIR that he can identify the miscreant but still no Test Identification Parade was done. He is in custody since 29.06.2018.

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 **A.C.J.M. -VI, Araria**, in connection with **Narpatganj P.S. Case No. 586 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his 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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