

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16311 of 2019**

Arising Out of PS. Case No.-654 Year-2018 Thana- MUFFASIL District-
West Champaran

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Guddu Alam Son of Ismail Mian Resident of Village - Hirapakad, Naya
Tola, P.S.- Mannuapul, District - West Champaran

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 15-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 379, 506/34 of the Indian Penal Code
registered in connection with Bettiah Muffasil (Mannuapul) P.S.
Case No. 654 of 2018.

3. It is submitted that the petitioner has been falsely
implicated and the accusations in the F.I.R. are highly improbable.
It is unlikely that out of the eight accused persons, only the
petitioner had his face uncovered and could be recognized by the
informant who was inside the house and there was hardly any
light outside where the tractor from which the articles were
stolen was parked. No incriminating article has been recovered
from the possession of the petitioner. The informant has
instituted one more case against the petitioner in the past in
which the petitioner is on bail.

4. Be that as it may, in the event of the petitioner's
arrest or surrender before the court below within six weeks from



the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Muffasil (Mannuapul) P.S. Case No. 654 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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