

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17048 of 2019

Arising Out of PS. Case No.-407 Year-2018 Thana- KHAJEKALA District- Patna

MD. BABAR, aged about 24 years, (M) Son of Nammu Mian Resident of
Mohalla - Lodikatra, (Near Gandhi School), P.S.- Jhauganj Nagla, P.S.-
Khajekalan, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Shekhar Sharma
For the Opposite Party/s : Mr.Arbind Kumar Pandey(App84)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 02-04-2019 Heard learned counsel for the parties.

Petitioner, who is in custody, seeks bail registered
for the offences punishable under Section 379 of the Indian
Penal Code.

Informant has alleged that on 01.11.2018 he had
parked his motorcycle near his house, however, in the morning
he found that his motorcycle has been stolen by unidentified
thieves.

It has been submitted on behalf of the petitioner
that he is innocent and has been falsely implicated in this case.
He is not named in the FIR. Name of the petitioner has surfaced



in this case on the information given by the spy that petitioner is also one of the culprits involved in stealing motorcycle. However, the motorcycle has not been recovered. Petitioner has confessed his guilt. Petitioner has got no criminal antecedent and is in custody since 11.12.2018.

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 court below where the case is pending in connection with **Khajekalan P.S. Case No. 407 of 2018**, with following condition:-

(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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