

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22858 of 2019**

Arising Out of PS. Case No.-639 Year-2018 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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MD. SHOIB QUIRESHI @ SHOAB AHMAD Son of Mohammad Ahmad @
Chunna, Resident of Village - Pratap Nagar Derapur, P.S.- Derapur, Distt.-
Kanpur, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER**

2 11-04-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged
under Section 379 IPC registered in connection with Sadar P.S. Case
No. 639 of 2018.

3. It is submitted that the petitioner has been falsely implicated
on the basis of extra judicial confessional statement of co-accused Md.
Khaliq Quorashi, except which there is no other material to connect
the petitioner with the alleged occurrence. There is no recovery of the
stolen truck from the possession of the petitioner. The petitioner is
accused in one prior case in which also he made accused on the
confessional statement of the said co-accused Md. Khaliq Quorashi.

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
CJM, Muzaffarpur, in connection with Sadar P.S. Case No. 639 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 co-operate 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. 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)

Chandran/-

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