

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20739 of 2019

Arising Out of PS. Case No.-395 Year-2018 Thana- CIVIL LINE District- Gaya

MD. IRFAN @ BILLUA, aged about 25 years, (M) Son of Md. Alam @
Mohammad Fakhruddin Resident of Village - Bitho Sharif, P.S.- Chakand,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha
For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

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

Petitioner, who is in custody, seeks bail registered
for the offences punishable under Sections 356, 379 and 411 of
the Indian Penal Code.

Informant has alleged in her written complaint that
on 01.10.2018 at about 12:15 P.M. she and Chanchla Kumari
were going to head post office on rickshaw, on their way one
boy snatched golden chain from her neck and started to flee,
however, he was caught by the public and trashed and snatched
golden chain was also recovered from his possession and
meanwhile police came and he was handed over to the police,
who disclosed his name as Md. Irfan @ Billua (petitioner).



Petitioner is also implicated in similar nature of case as disclosed in Para-3 of the petition.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. He is in custody since 02.10.2018.

Considering the nature of allegation and petitioner was being apprehended on the spot with golden chain, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, it is observed that the petitioner named above be released on bail **after completing one year of jail custody by the court below** 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 **Civil Lines P.S. Case No. 395 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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