

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24266 of 2019

Arising Out of PS. Case No.-293 Year-2017 Thana- RAJNAGAR District- Madhubani

MD. KASIM Son of Late Md. Salim Resident of Village- Pariharpur, P.S.-
Rajnagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-07-2019 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks regular bail in connection with
Rajnagar P.S. Case No. 293 of 2017, registered for the offence
punishable under Section 394 of the Indian Penal Code. The
present petition has been filed by way of the second attempt
for grant of regular bail inasmuch as earlier the petition of
the petitioner for grant of regular bail was rejected by this
Court vide order dated 23.7.2018 passed in Criminal
Miscellaneous No. 32094 of 2018.

The allegation in the present case is regarding the
petitioner having committed robbery and snatched the
motor-cycle and other articles from the informant.

The learned counsel for the petitioner submits that



the petitioner is innocent and he has been falsely implicated in the present but nonetheless, he is ready to deposit cash security of Rs. 1,00,000/- as cash security, as also is ready to abide by whatever conditions as may be imposed by this Court for the purposes of grant of regular bail. Lastly, it is submitted that the petitioner is languishing in custody since 29.1.2018 i.e. since about 11 months.

Having regard to the facts and circumstances of the case, more particularly the fact that the petitioner is languishing in custody since one and half years and he is ready to deposit cash security of Rs. 1,00,000/-, as also is ready to abide by such conditions as may be imposed by this Court, I deem it fit and appropriate to direct for release of the petitioner upon deposit of a cash security of Rs. 1,00,000/- with the Nazarat of the concerned trial court i.e. the court of learned Judicial Magistrate, 1st Class, Madhubani and further subject to such conditions as may be imposed by the said court for the purposes of release of the petitioner on regular bail in connection with Rajnagar P.S. Case No. 293 of 2017.

It is further directed that the petitioner would mark his



attendance before the Officer-in-Charge of the concerned police station at 10:00 AM. on each Monday of the week and in the event of two consecutive defaults, the present privilege of the regular bail shall stand cancelled automatically.

The petition stands allowed on the aforesaid terms.

(Mohit Kumar Shah, J)

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