

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39925 of 2019

Arising Out of PS. Case No.-495 Year-2018 Thana- ARARIA District- Araria

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FIRYAD @ FARYAD @ MD.FIRYAD @ FIRIYAD Son of Md. Hafiz
Resident of village- Mohaniya Ward No. 02, Police Station- Palasi, District-
Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 24-07-2019 Heard learned counsel for the parties.

Earlier the bail of the petitioner was rejected vide order dated 22.01.2019 passed in Criminal Miscellaneous No. 2568 of 2019 with liberty to renew his prayer for bail after completing nine months of Jail custody.

Petitioner seeks bail in **Araria (Bairgachhi) P.S. Case No. 495 of 2018** registered for the offence punishable under Section 392 of the Indian Penal Code.

Informant has alleged that he had send his driver Sarfaraj Alam @ Mithun (petitioner) and one labour Rajesh Kumar Singh on his vehicle loaded with wheat and Maize and after sale, they received Rs. 1,68,750/- and were returning back then three unidentified culprits on Pulsar Bajaj Motorcycle



intercepted them and snatched away the amount.

It has been submitted on behalf of the petitioner that the name of petitioner has surfaced in this case on the basis of confessional statement of co-accused Sarfaraj @ Mithun and petitioner has not been put on TIP till date. It has further been submitted that the petitioner is in custody since 02.09.2018, and he has completed more than nine months of Jail custody.

Considering the aforesaid facts and circumstances of the case and the period of custody, 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 **Araria (Bairgachhi) P.S. Case No. 495 of 2018**, with following conditions:-

(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/her absence on two consecutive dates without sufficient reason, his/her 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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