

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70256 of 2018

Arising Out of PS. Case No.-68 Year-2016 Thana- KASIMBAZAR District-
Munger

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Md. Zafar, Son of Md. Zaheer @ Md. Zaheer Ali, Resident of Muhalla- Bari
Bazar Police Station- Kotwali, District- Munger.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Santosh Kumar Sinha -2, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 07-01-2019 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 of the Indian Penal Code registered in
connection with Kasim Bazar P.S. Case No. 68 of 2016.

3. It is submitted that the petitioner has been falsely
implicated only on the extra judicial confessional statement of co-
accused Md. Syfal @ Safiqullah and except which there is no other
material to connect the petitioner with the alleged occurrence.
The C.C.T.V. footage showing the person taking away with the
motorcycle tallied with the said Md. Syfal @ Safiqullah. Similarly
situated co-accused Md. Wali, Kumar Sanu and Bijay Das have
been granted bail by this Court in Cr. Misc. No. 5131 of 2016, Cr.
Misc. No. 53528 of 2016 and Cr. Misc. No. 4983 of 2017
respectively.

4. Be that as it may, having regard to the entirety of
the facts and circumstances of the case, 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 Chief Judicial Magistrate, Munger in connection with Kasim Bazar P.S. Case No. 68 of 2016, 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) The petitioner shall cooperate 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)

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