

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76851 of 2019

Arising Out of PS. Case No.-772 Year-2018 Thana- ARARIA District- Araria

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ROJEED @ ROJEED ALAM @ MD. ROJEED ALAM, S/o Badruddin,
Resident of Village- Chandbhag, P.S.- Araria (Madanpur), District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha, Advocate
For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 06.05.2019 in connection with Araria (Madanpur) P.S. Case No.772 of 2018 registered for the offence under Sections 461 and 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the name of the petitioner has surfaced merely on suspicion because it is said that in the CCTV camera of the ATM from where withdrawal has been made by his ATM card, the petitioner is said to have been visible in the said camera. Learned counsel for the petitioner submits that there is no eye-witness to the occurrence of theft and it is only on suspicion, as stated herein above, that the petitioner is facing prosecution.



Learned counsel for the petitioner further submits that unless and until the said CCTV coverage is tested in an appropriate technical proceeding which would certify his presence, nothing can be attributed to the present petitioner. Learned counsel for the petitioner submits that so far as the antecedents of the petitioner is concerned, in the three cases he has already been extended the privilege of bail and he undertakes to present himself as and when required during the course of investigation and also during the course of trial.

Considering the aforementioned facts and circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria, in connection with Araria (Madanpur) P.S. Case No.772 of 2018, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, son, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present



in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) 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.

(Anjana Mishra, J)

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