

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 74868 of 2019

Arising Out of PS. Case No.-133 Year-2018 Thana- SITAMARHI District- Sitamarhi

Md. Saddam Hussain @ Md. Sadam Hussain, Male, aged about 24 years, Son of Md. Islam Sidiki, Resident of Village - Bervas, P.S.- Dumra, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 20-11-2019 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Sitamarhi P.S.

Case No. 133 of 2018 registered for the offence under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that it is case of theft of a 3-wheeler i.e. Tempo and F.I.R. has been lodged against three unknown persons. The name of petitioner has come on confessional statement of one apprehended person, who has falsely implicated him due to village politics. There is no material to show the complicity of the petitioner in the aforesaid occurrence. He further submits that petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances as



well as nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let the petitioner above named be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Sitamarhi P.S. Case No. 133 of 2018 on the following conditions:

(1) Petitioner shall cooperate 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 on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J.)

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