

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82671 of 2019

Arising Out of PS. Case No.-446 Year-2019 Thana- BIHARSHARIF District- Nalanda

Md. Feku Son of Md. Reyaz @ Md. Reyaz Alam Resident of Mohalla -
Shaluganj Khanchi Gali, P.S.- Bihar, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in **Bihar P.S.**
Case No. 446 of 2019, registered for the offence punishable
under Sections 457 and 380 of the Indian Penal Code.

Informant alleged that his brother Md. Khalid
informed him that his door was broken. On such information,
the informant reached at his house and found that the lock of his
door was broken and all the house hold articles, cash, ornaments
etc. were missing. Informant had suspicion that petitioner
committed theft of the said articles, as earlier petitioner had
threatened him of dire consequence.

It is submitted by learned counsel appearing on behalf
of petitioner that petitioner has falsely been implicated in this



case due to previous enmity. Save and except suspicion there is nothing against this petitioner. No incriminating article has been recovered from his possession.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned **Chief Judicial Magistrate, Bihar Sharif, Nalanda** in connection with **Bihar P.S. Case No. 446 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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