

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2660 of 2020

Arising Out of PS. Case No.-461 Year-2019 Thana- PURNEA SADAR District- Purnia

Fakir Mohammad, Son of Late Yasin, Resident of Village- Babni Rahika,
P.S.- Sadar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocatee

For the Opposite Party/s : Mr.Ajay Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 21-01-2020 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody on his remand since 18.11.2019 in connection with Sadar P.S. Case No.461 of 2019 registered for the offence under Section 395 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner was not named in the F.I.R., but subsequently in the confessional statement made before the police by one Safique, the name of the petitioner has surfaced. It is further submitted that the petitioner is also said to have made incriminating statement himself before the police which has no evidentiary value. Learned counsel further submits that till date neither any T.I. Parade has been conducted nor has there



been any recovery from the petitioner.

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, Purnea, in connection with Sadar P.S. Case No.461 of 2019, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, 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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