

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4564 of 2020

Arising Out of PS. Case No.-311 Year-2018 Thana- ARARIA District- Araria

MD. RAHBAR @ RAHBAR Son of Late Gayas Resident of Village -
Gaiyari, P.S.- Araria, District- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-01-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking regular bail in connection with Araria P.S. Case No. 311 of 2018 registered for the offence punishable under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that although the criminal antecedent of the petitioner has been shown in the impugned order but in the nature of these cases, the police has named this petitioner on the basis of confessional statement extracted from this petitioner and except that there is no material against the petitioner.

Learned counsel submits that he has instruction to say that in all these cases the petitioner is on bail. In the present case he is in custody since 07.01.2019.



Learned APP for the State has though opposed the prayer for bail of the petitioner in view of criminal antecedent but accepts that in a case of Section 379 IPC, the petitioner has completed more than one year of custody.

In the given facts and circumstances of the case, considering that the petitioner is on bail in other cases and in the present case he is in custody for more than one year, let the petitioner above named be released on bail in connection with Araria P.S. Case No. 311 of 2018 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or



tamper with the evidence.

And further condition that the petitioner shall present himself in course of trial on each and every date fixed in the matter and two consecutive default in putting appearance will invite cancellation of bail.

(Rajeev Ranjan Prasad, J)

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