

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.7620 of 2020**

Arising Out of PS. Case No.-158 Year-2019 Thana- TARAIIYA District- Saran

SAIYAD MIYA @ SHAIYAD ALI @ SYED MIYA @ SYED ALI Son of
Late Taslim Miya Resident of Village - Rajwara, P.S.- Tariya, District - Saran
at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 29-05-2020 This application has been placed for consideration by

the order of the Hon'ble the Chief Justice through virtual court
proceeding.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Taraiya P.S. Case No. 158/2019 registered for
the offences punishable under Section 379 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner has been made accused in this case only on mere
suspicion as the informant claimed that he had seen the
petitioner fleeing away near the Pick-Up Van in which the stolen



cattles were loaded. Learned counsel submits that in fact the petitioner has been made accused in some other cases and now on mere suspicion his name is being brought in other cases of similar nature. The petitioner has remained in custody for about six months by now, the investigation against him is complete and as such he may be released on bail.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case wherein the case has been registered under Section 379 I.P.C. and the petitioner has remained in custody for over six months by now and there is no submission that his release at this stage is likely to adversely affect the trial, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - I, Saran at Chapra, in connection with Taraiya P.S. Case No. 158/2019, 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 he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

vats/Rajeev

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

