

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15952 of 2020

Arising Out of PS. Case No.-220 Year-2019 Thana- MADHUBANI TOWN District-
Madhubani

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Md. Gulzar, Male, aged about 30 years, Son of Md. Mojibul Rahman @ Md. Mojibul Resident of Village- Naspatti, P.S.- Ladaniya, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha
For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 15-12-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection with Madhubani Town P.S. Case No. 220 of 2019 registered for offences under sections 379 of the Indian Penal Code.

In the present case, an allegation has been made the motorcycle of the Informant bearing registration no. BR 32D 5744 has been stolen, later on, the police found the involvement of the present petitioner in the alleged theft of motorcycle.

The petitioner carries altogether eight cases of similar nature of offence on his head which has been stated in paragraph no.3 of the present bail application but, learned



counsel for the petitioner submits that the petitioner has been granted bail in all the cases and is languishing in jail in the present case since 03.09.2019.

The petitioner appears to be a veteran criminal involved in the commission of theft. It has been stated that till date, the charge has not been framed and the maximum punishment that could be awarded to the petitioner in the present case is three years imprisonment and the petitioner is in custody for one year and three months.

Looking to the entire facts and circumstances of the case as also considering the period of custody, let the petitioner, above named, be released 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 Chief Judicial Magistrate, Madhubani in connection with Madhubani Town P.S. Case No. 220 of 2019, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive



dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Madhubani Town police station by 7th of every month for at least nine months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been canceled.

(Shivaji Pandey, J)

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