

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23517 of 2020

Arising Out of PS. Case No.-464 Year-2019 Thana- FALKA District- Katihar

Md.Vasik, S/o Md. Iliyas, R/o Village- Alampur, Fatehpur, P.S.- Kasba, Distt-
Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 18-09-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Falka P.S. Case No.464 of 2019 registered for the offence punishable under Section 392 of the Indian Penal Code.

The prosecution case is of looting of motorcycle at gunpoint by three unknown miscreants.



It is submitted by the petitioner's counsel that on confessional statement of co-accused Md. Mustaque, the petitioner has been implicated. The confessional statement has no evidentiary value. The petitioner is in custody since 06.01.2020. Co-accused Md. Mustaque, on whose confessional statement the petitioner has been implicated, has already been granted bail in Cr.Misc. No.23086 of 2020, on 09.09.2020. Learned counsel further submits that the petitioner is already on bail in three other cases pending against him as per the details contained in paragraph 3 of the petition.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 the learned C.J.M., Katihar, in connection with Falka P.S. Case No.464 of 2019, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is



related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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