

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 29093 of 2020

Arising Out of PS. Case No.-269 Year-2019 Thana- BARSOI District- Katihar

MD MATIN Son of Md. Sirajul Haque Resident of Village - Dhatta (Nuwal Toli), P.S.- Barsoi, District - Katihar (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ranjit Kumar, Advocate
For the Opposite Party/s : Mr Ajit Kumar, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

6 **22-12-2020** As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings 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 Barsoi Police Station (for brevity, *PS*) Case No 269 of 2019 instituted for the offence punishable under Section 392 of Indian Penal Code.

It is alleged that 3 unknown miscreants have taken



away Rs 74,024/- from the office of the informant. It is submitted that the informant was also assaulted in the process.

Learned counsel for the petitioner submits that on account of political rivalry at the village level, the petitioner has been implicated in this case though he has not been named. The recovery of an amount of Rs 2,652/-, which was the petitioner's money, has been made the basis of his implication in this case. There is one case pending against him since before and in the said case, he is on bail. The petitioner is in custody in this case since 11.04.2020.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in Barsoi PS Case No 269 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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