

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56956 of 2019

Arising Out of PS. Case No.-316 Year-2018 Thana- CIVIL LINE District- Gaya

Md. Sarfaraz Alam Son of Mohammad Anis Alam @ Md. Anis Resident of
Village - Shamir Takya, Masjid Gali, P.S.- Civil Line, Dist.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 23-01-2020 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Civil Lines P.S. Case No. 316 of 2018**, registered for the offence punishable under Section 392 of the Indian Penal Code.

The informant alleged that on 22.08.2018 at 7.30 a.m. the informant along with his friend Tusar Kumar had gone for morning walk by his motorcycle at Gandhi Maidan. In the meantime, a person reached there with *Khanjar* and asked about the motorcycle and demanded key of the said motorcycle. Thereafter he threatened them and took out the key of motorcycle and mobile of informant's friend. On alarm, panther mobile police came there and caught hold the petitioner and brought him to the police station.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this



case. Charge-sheet has already been submitted and there is no allegation of tampering with the evidence against this petitioner. Petitioner claims clean antecedent and he is in custody since 22.08.2018.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged 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 **Additional Chief Judicial Magistrate, Railway, Gaya** in connection with **Civil Lines P.S. Case No. 316 of 2018**, subject to the following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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