

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70687 of 2019

Arising Out of PS. Case No.-397 Year-2019 Thana- ARARIA District- Araria

MANZAR HUSSAIN @ MANZAR Son of Late Muslim Resident of Village
- Gaiyari Ward No.11, P.S.- and Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 13-01-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 395 and 397 of the Indian Penal Code.

Allegation against the petitioner is of looting mobile phones and cash from the employees of Infratech Pvt. Ltd.

It has been submitted on behalf of the petitioner that petitioner is neither named in the FIR nor he was put on Test Identification Parade. Nothing has been recovered from the possession of petitioner. However, it appears that two mobile sets are said to have been recovered from conscious possession of the petitioner which is claimed to be looted property but submission on behalf of the petitioner is that the aforesaid recovered mobiles belong to petitioner. Similarly, situated co-



accused person has been granted bail by a co-ordinate bench of this Court vide order dated 18.12.2019 passed in Criminal Miscellaneous No. 70944 of 2019. Petitioner has got no criminal antecedent and is in custody since 28.07.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Araria P.S. Case No. 397 of 2019**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) 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.

(S. Kumar, J)

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