

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85420 of 2019**

Arising Out of PS. Case No.-130 Year-2018 Thana- PALASI District- Araria

BIJLI KHAN Son of Habib Khan Resident of Village - Bansar, P.S.- Palasi,
Distt.- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Parmanand Prasad

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 07-01-2020 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections
457 and 380/34 of the IPC.

Prosecution case is in respect of theft of cash of Rs one
lac from the house of the informant at 2 O' clock in the night.

It is submitted by counsel for the petitioner that merely
because accused persons had been seen at Lichi orchard at 9
P.M, they have been made accused in this case only on the basis
of suspicion. Petitioner is in custody since 18.07.2019 and no
recovery whatsoever has been made from the petitioner so as to
connect him with the alleged occurrence. Other than own
confessional statement and the fact that the petitioner is accused
in earlier case in which he is on bail, there is nothing even to



cast suspicion on the petitioner.

Learned A.P.P. opposes the prayer for bail.

Considering the aforesaid submissions, prayer for bail is allowed.

Let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in Palasi P.S. Case no. 130/2018 subject to the following conditions.

(1) 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.

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

(Madhuresh Prasad, J)

s.hassan/-

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