

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.13517 of 2021**

Arising Out of PS. Case No.-112 Year-2019 Thana- RAMNAGAR District- West Champaran

FARMAN MIAN @ FARMAN ANSARI Son of Late Alijan Mian Resident
of Village - Tuniya, P.S.- Manuapul, District - West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shivjee Singh, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 27-08-2021 Heard learned counsel for the petitioner and Mr.
Bharat Bhushan, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Ram Nagar P.S. Case No. 112 of 2019
registered for the offence under Sections 379 of the Indian Penal
Code. He is in custody in 30.09.2020.

As per the prosecution story, this petitioner has
confessed his guilt before police that he was involved in theft of
the motorcycle and in connection with which he was arrested in
Ram Nagar P.S. Case No. 218/2019.

Learned counsel for the petitioner submits that after
the petitioner was granted bail in the said case, he was arrested
in connection with Ram Nagar P.S. Case No. 165/2019 under
Section 379 I.P.C. and therefrom he has been involved in the 12

cases on the basis of the confessional statement extracted in police custody.

Learned counsel submits that except two cases he has been granted bail in all other 13 cases which are against him and all are under Section 379 I.P.C.

Learned counsel further submits that the reason for involvement of the petitioner is that his father-in-law has a shop in front of Ram Nagar Police Station and because he was not able to keep the police officers happy, the petitioner has been implicated in this case.

Mr. Bharat Bhushan, learned A.P.P. for the State has opposed the prayer for bail of the petitioner. It is submitted that the mobile phone recovered from the possession of the petitioner shows that his tower location was near the place of occurrence on the date of the alleged occurrence.

Considering the facts and circumstances of the case, the kind of materials before this Court in the present case, since there is no recovery from the possession of the petitioner, he has already remained in jail for almost one year in connection with this case, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like

amount each to the satisfaction of learned Additional Chief Judicial Magistrate – I, Bagaha, District – West Champaran in connection with Ram Nagar P.S. Case No. 112 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.