

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13940 of 2021**

Arising Out of PS. Case No.-360 Year-2020 Thana- KHAJANCHI HAT District- Purnia

SHAHWAZ ALAM @ LINDA @ SAHWAJ Son of Md. Halim Resident of
Madhubani Bazar, Molvi Tola, Ward No.16, Police Station- K. Hat, District-
Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Hussain

For the Opposite Party/s :

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 12-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 411/34 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, police raided the house of several accused persons including the petitioner and recovered one Glamour motorcycle from his house without having registration number.

Learned counsel for the petitioner submits that no incriminating material has been recovered from the conscious possession of the petitioner. Petitioner's name has figured during course of investigation in confessional statement of co-accused Nisar Alam @ Sonu. He is in custody since 16.7.2020.



Similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court vide order passed in Cr.Misc.No. 8834/2021.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the fact that similarly situated co-accused has already been allowed bail and Petitioner is in custody since 16.7.2020, let the petitioner, mentioned above, 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 Chief Judicial Magistrate, Purnea in K.Hat (Sahayak) Police Station Case No. 360/2020 on the following conditions:-

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

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(Prabhat Kumar Singh, J)

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