

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13894 of 2021

Arising Out of PS. Case No.-179 Year-2020 Thana- SABAUR District- Bhagalpur

MD. SHAHBAZ Son of Late Md. Khalil Resident of Village - Bansitikar,
P.S.- Sabour, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate Mr. Pravin Kumar Sinha
For the Opposite Party/s	:	Mr. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Sabour (Goradih) P.S.

Case No. 179 of 2020, registered for the offence punishable

under Sections 461, 379, 411 and 120 of the Indian Penal Code.

As per the prosecution case, this petitioner is alleged

to have committed theft of aluminum utensils from the hotel of

the informant and informant had seen the petitioner and co-

accused running away with a tempo loaded with goods.

It is submitted on behalf of the petitioner that

petitioner has falsely been implicated in this case. Petitioner is

neither the driver nor the owner of the tempo in question and



has no concern with the articles which is said to have been recovered from the tempo. Petitioner claims clean antecedent and he is in custody since 02.07.2020.

Considering the facts and circumstances of the case, 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 Judicial Magistrate Ist Class, Bhagalpur in connection with Sabour (Goradih) P.S. Case No. 179 of 2020, subject to 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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