

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 14793 of 2021**

Arising Out of PS. Case No.-149 Year-2019 Thana- RAMNAGAR District- West Champaran

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

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : M/s Shivjee Singh, Mukesh Kr, Advocates

For the Opposite Party/s : Ms Pushpa Sinha, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 21-08-2021 This case has been taken up for consideration today
through Video Conferencing.

Heard learned counsel for the petitioner and
learned Additional Public Prosecutor (for brevity, *APP*)
appearing for the State of Bihar.

The petitioner seeks bail in Ram Nagar Police
Station (for brevity, *PS*) Case No 149 of 2019 instituted for the
offence punishable under Section 379 of Indian Penal Code.

Since 30.09.2017, petitioner is stated to be in custody.

Informant's motorcycle had gone missing when it was
parked near a mosque where the informant had gone for offering
Namaz.

Learned counsel submits that initially the petitioner



was arrested in Ramnagar 218 of 2019. After his release in the said case, he was arrested in connection with Ramnagar PS Case No 165 of 2019 and remanded in 12 cases including this case. He is on bail in some of the 14 cases. His implication is based on extraneous considerations due to hostile relations of his in-laws with the local PS. There is no recovery of any incriminating article from the possession of the petitioner to connect him with the alleged occurrence. He has also not been identified in any Test Identification Parade.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Bagaha, District – West Champaran in connection with Ram Nagar PS Case No 149 of 2019 subject to the following conditions:-

(i) 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.

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

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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