

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15038 of 2021

Arising Out of PS. Case No.-211 Year-2019 Thana- RAMNAGAR District- West Champaran

Farman Mian @ Farman Ansari, aged about 45 years (M), Son of Ali Jan Mian, Resident of Village Tuniya P.S. Manuapul, District West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Mukesh Kumar, Advocate
For the State : Md. Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-10-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in Ram Nagar P.S. Case No.211 of 2019, registered for the offence punishable under Section 379 of the Indian Penal Code.

The prosecution case in brief is that on 21.08.2019, the informant along with Abdul Ganni had gone to State Bank of India from his motorcycle for withdrawing money. After withdrawing money, when the informant came out from the Bank, he found that his motorcycle was stolen.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR. Petitioner has falsely been implicated in the present case. Petitioner was arrested in Ram Nagar P.S. Case No.218 of 2019, registered under Sections



414/34 of the Indian Penal Code in which the petitioner has confessed his guilt before the police regarding theft of motorcycle. It is further submitted that no any incriminating article has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 30.09.2020. The petitioner has got 14 criminal antecedents mentioned at paragraph 3 of the bail petition.

Considering the fact that no incriminating article has been recovered from the conscious possession of the petitioner, let petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1, Bagaha, West Champaran in connection with Ram Nagar P.S. Case No.211 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. He 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 and every date fixed in the case and if he fails to do so on



two consecutive dates, his bail bonds shall be liable to the cancelled.

(iii) That the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of the trial, failing which the prosecution will be at liberty to move for cancellation of his bail bond.

(iv) That the bailors shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(v) That the petitioner will appear before the concerned Police Station once in a month till conclusion of trial.

(Anjani Kumar Sharan, J)

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