

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21537 of 2021

Arising Out of PS. Case No.-268 Year-2017 Thana- KATIHAR NAGAR District- Katihar

Md.Rajjak @ Dokwa Son Of Md. Latif R/O Mohalla- Rampara, P.S.- Katihar
(TOWN), District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Adv.

For the Opposite Party/s : Mr. Anuj Kr. Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-09-2021 Heard the parties through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 457, 380 of the Indian Penal Code.

Allegation against the petitioner is that on 28.04.2017 he committed theft in the house of Chief Judicial Magistrate, Katihar while he had gone outside from Katihar.

Learned counsel for the petitioner submits that petitioner is innocent, not named in the FIR and has been falsely implicated in this case. He submits that nothing has been



recovered from the conscious possession of the petitioner. He submits that petitioner has been made accused on the basis of confessional statement of co-accused Kalu Kumar Paswan who has already been granted bail by the learned court below itself. He further submits that petitioner has eight criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 28.01.2020.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Katihar Nagar Sahayak P.S. Case No. 268 of 2017, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who 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 be cancelled.



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

(IV) that the bailor shall also stated 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 P.S. once in a month till conclusion of trial.

(Anjani Kumar Sharan, J)

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