

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28074 of 2021

Arising Out of PS. Case No.-213 Year-2020 Thana- KOCHADHAMAN District- Kishanganj

MAJHARUL HAQUE @ MAJHRUL@ MAJRUL Son of Najir @
Najiruddin Resident of Village - Saptia Bishanpur, P.S.- Kochadhaman, Distt.-
Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-11-2021 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding

in physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Kochadhaman P.S. Case No. 213 of 2020 for the offence

under Sections 395, 412, 414 and 120B of the Indian Penal

Code.

The petitioner along with co-accused are said to

have looted the money of the informant.

Learned counsel appearing for the petitioner

submits that the petitioner is innocent and has not



committed any offence. In fact, the petitioner has not been named in the F.I.R. and mere confession of the co-accused, namely, Neyan Alam, this petitioner has been made accused in this case. Neither the petitioner has been put on T.I.P. nor anything incriminating has been recovered from his possession. Moreover, the co-accused, namely, Neyan Alam, has been granted bail by a co-ordinate Bench of this Court vide order dated 09.09.2021 passed in Cr. Misc. No. 24302 of 2021. The petitioner is rotting in judicial custody since 17.09.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kochadhaman P.S. Case No. 213 of 2020 with 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 canceled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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