

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28373 of 2021

Arising Out of PS. Case No.-275 Year-2020 Thana- GORAUL District- Vaishali

MD YASIN Son of Md. Qutubuddin @ Qutubuddin, Resident of Village-
Chandpur Fatah, P.S.- Patepur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh, Adv.

For the Opposite Party/s : Md.Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-09-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 392 of the Indian Penal Code.

Allegation against the petitioner alongwith other accused persons is said to have looted Rs.80,000/- from the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. He further submits that the petitioner is not named in the FIR. On the basis of confessional statement of co-accused the petitioner has been made accused in this case. There is no incriminating articles was recovered from the conscious possession of the petitioner. The petitioner is languishing in judicial custody since 30.09.2020. The petitioner has got 03 criminal antecedents which is mentioned in para 3 of the bail petition. Charge sheet has been submitted in this case.

Learned APP for the State vehemently opposed the prayer for bail application.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Goraul P.S. Case No. 275/2020 to the satisfaction of learned Court below where the case is pending/ successor Court; subject to the following conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will be given 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.



(2) that the bailor 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.

(3) 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 bond will be liable to be cancelled.

(4) that the petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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