

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29405 of 2021

Arising Out of PS. Case No.-88 Year-2020 Thana- DUMRA District- Sitamarhi

ADIL HUSSAIN S/O Salauddin Haidar @ Nanhe @ Md. Shalahuddin Haider
Resident of village - Mehsaul Chowk Khilaphat Bag Ward No. -27, P.S. -
Mehsaul O.P. (Sitamarhi), Dist. - Sitamarhi

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Ms.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 01-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Dumra P.S. Case No. 88 of 2020 registered for the offences punishable under Section 392 of the I.P.C.

According to prosecution case, on 02.03.2020 at about 6:30 P.M., the informant was returning to his home on a motorcycle. Meanwhile, two persons riding on a motorcycle came and pushed his motorcycle from backside due to which he fell down and on the point of pistol they looted his motorcycle



and other belongings.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. Petitioner is not named in the FIR and nothing incriminating article has been recovered from conscious possession of the petitioner. Name of the petitioner transpired in the confessional statement of co-accused Kameshwar Rai. Learned counsel further submits that co-accused Kameshwar Rai has been granted bail by a co-ordinate Bench of this court vide order dated 24.11.2021 passed in Cr. Misc. No. 29930 of 2021. Petitioner is in custody since 27.06.2020. Petitioner carries three criminal antecedent.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 88 of 2020, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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