

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28793 of 2021**

Arising Out of PS. Case No.-2 Year-2021 Thana- MADHUBANI TOWN District-  
Madhubani

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JISHAN @ KAIFI @ MD. JISHAN @ KAIFI Son of Md. Taufique Resident  
of Village - Simari, P.S.- Bisfi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr. Kalyan Shanker, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      10-08-2021                      Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for  
the offence punishable under Section 401, 379, 413, 414, 420,  
467, 468, 471 of the Indian Penal Code.

As per the prosecution case, one co-accused, Sudhir  
Sharma was arrested while committing theft of motor cycle who  
disclosed the name of petitioner as one of his associates and on  
his disclosure raid was conducted and this petitioner along with  
one other accused person were arrested. From the house of this  
petitioner one motor cycle, one mobile and two damaged  
handles of motor cycle were recovered.

Learned counsel appearing for the petitioner submits  
that petitioner is innocent and has falsely been implicated in the  
case. It is submitted that no recovery has been made from the  
conscious possession or from the house of petitioner rather



recovery has been made from a lodge and this petitioner was neither owner nor tenant of the lodge. Petitioner claims clean antecedent and is in custody since 02.01.2021

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, 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 Chief Judicial Magistrate, Madhubani in connection with Madhubani Town PS case No.02/2021 on 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 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.

BKS/-

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**(Prabhat Kumar Singh, J)**

