

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37358 of 2021

Arising Out of PS. Case No.-74 Year-2020 Thana- SATHI District- West Champaran

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SHEIKH ILIYAS SON OF ASHEIKH NAYEEM Resident of Village -
Pakadi Panchrukha, P.S.- Manpur, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-12-2021 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 Sathi P.S. Case No. 74 of 2020 registered for the offence under Sections 379 of the Indian Penal Code.

The motorcycle of the informant is said to have been stolen.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the



alleged motorcycle, which is said to be stolen, has been recovered from the house of the petitioner for which, another case being Manpur P.S. Case No. 24 of 2020 has been instituted in which the petitioner has been granted regular bail by a co-ordinate Bench of this Court vide order dated 08.03.2021 passed in Cr. Misc. No. 1503 of 2021. Now, the petitioner has been prosecuted in this case for the same set of facts and he is languishing in judicial custody since 29.09.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner is having one more case other than the present one, which clearly reflects from the paragraph-3 of the petition.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned A.C.J.M.-III, Bettiah, West Champaran in connection with Sathi P.S. Case No. 74 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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