

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38352 of 2021

Arising Out of PS. Case No.-954 Year-2020 Thana- FORBESGANJ District- Araria

Md. Tabrej S/o Md. Sattar @ Sattar R/o village- Dholbajja, Ward No. 13, P.S.-
Forbesganj, Distt.- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-09-2021 Heard both parties.

The petitioner seeks bail in Forbesganj P.S. Case No. 954 of 2020, registered for the offence punishable under Sections 392 of the Indian Penal Code.

As per the prosecution case, on the alleged date and time of occurrence, while the informant was returning after visiting site by his motorcycle, on the way, 04 persons boarded on 02 motorcycles overtook him and dashed from back. One of them assaulted him on his head by means of danda and on the point of pistol looted cash of Rs. 45,000/-, two mobile phones and key of the motorcycle and fled away.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR. During course of investigation, name of this petitioner has come in this case on the basis of confessional statement of co-accused Chhotu



Mehta. No incriminating article has been recovered from possession of this petitioner. No test identification parade has been held till date. Only material that has come during course of investigation is that the motorcycle recovered from the house of this petitioner is alleged to have been used in the offence. Petitioner is having clean antecedent and he is in custody since 10.02.2021. Investigation is complete.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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, Araria in connection with Forbesganj P.S. Case No. 954 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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