

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44808 of 2021

Arising Out of PS. Case No.-337 Year-2020 Thana- MOTIPUR District- Muzaffarpur

Md. Sirajul @ Sonu aged about 21 years, Male S/o Md. Taslim R/o Village-
Kodarkatta, Puran Tola P.S-Motipur, District-Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Manoj Kumar Manoj, Adv.
For the Opposite Party : Mr. Surendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-12-2021 Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in connection with Motipur, P.S. Case No. 337 of 2020 registered for the offences punishable under Sections 401, 413, 414 and 34 Indian Penal Code.

Prosecution story in brief is that police received a secret information on 23.12.2020 at 6.15 O' clock 4-5 persons standing at Mohammadpur Balmi Railway Gunit with two motorcycles and one of motorcycle is stolen one, then police party went there but after seeing the police party all the four persons stated fleeing through their motorcycle, police party



nabbed two persons namely Ajay Kumar and Md. Seirajul @ sonu (petitioner) and hence this F.I.R.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submitted that nothing has been recovered from the possession of the petitioner. It appears from the seizure list that the alleged motorcycle has been recovered from one Ajay Kumar. He has further submitted that charge-sheet has already submitted against the petitioner. That the petitioner is in jail since 24.12.2020.

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 Ld. ACJM-II, West Muzaffarpur in connection with Motipur P.S. Case No. 337 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.

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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