

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35789 of 2020

Arising Out of PS. Case No.-117 Year-2018 Thana- TARABARI District- Araria

Md Khurshid @ Naushad Ansari @ Khurshid, aged about 33 years (M), Son
Of Md Riyajuddin Resident of Village - Kudhaili Ward No. 05, Police Station
- Forbesganj, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 25-01-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Tarabari P.S. Case No. 117 of 2018 registered
for offences under sections 392 of the Indian Penal Code.

The petitioner has altogether five criminal cases,
by and large of same nature, over his head.

In this case, an allegation has been made by the
Informant that he is the Manager of petrol pump. On 1.10.2018
at 8.45 p.m. when he was going to his home by motorcycle, he
was intercepted by the accused persons and, at the point of gun,
they looted money including a mobile. The description of the
accused persons has been given by the Informant.



Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. as the same has been instituted against the unknown persons. He further submits that the name of the petitioner has transpired during investigation and he is languishing in judicial custody since 27.1.2020 i.e. for more than one year.

Looking to the entire facts and circumstances of the case, 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 learned Additional Chief Judicial Magistrate-III, Araria in connection with Tarabari P.S. Case No. 117 of 2018, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Tarabari police station by 7th of every month for at least one year and in



case of failure without any valid rhyme or reason, the bail of the
petitioner will be treated to have been canceled.

(Shivaji Pandey, J)

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