

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1731 of 2021**

Arising Out of PS. Case No.-247 Year-2019 Thana- SITAMARHI District- Sitamarhi

MD HASIM LAHERI S/o Late Habib Laheri R/o Village-Husena, Ward No.
-12, P.S.-Sitamarhi. District-Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

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

4 09-06-2021 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard both parties.

The petitioner seeks bail in Sitamarhi P.S. Case No.
247 of 2019, registered for the offence punishable under Section
392 of the Indian Penal Code.

As per the prosecution case, on the alleged date and
time of occurrence while the informant and his friend were
returning after attending marriage ceremony, on the way, some
miscreants on the point of gun, knife and pistol snatched away
motorcycle, cash and mobile.

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 Nasim Nadaf. No incriminating article has been recovered from possession of this petitioner. No test identification parade has been held till date. Petitioner is accused in three more cases, but in all those cases, he is on bail. Petitioner is in custody since 23.11.2019.

Considering the facts and circumstances of the case and the fact that no looted article has been recovered from possession of this petitioner, 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, Sitamarhi in connection with Sitamarhi P.S. Case No. 247 of 2019, 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)

vinita/-

U		T	
---	--	---	--

