

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.2200 of 2021**

Arising Out of PS. Case No.-83 Year-2019 Thana- JAMALPUR RAIL P.S. District-
Lakhisarai

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MD. SANNI @ RIZAWAN, S/o Md. Aslam @ Kaliya, R/o Mohalla- Kamaila
Road, Purabsarai, P.S.- Kotwali, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.

For the Opposite Party/s : Mr.Md. Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 08-04-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with G.R.P.S. Jamalpur P.S. Case No.83/2019

registered for the offences punishable under Section 394 of the

Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the

petitioner is innocent and he has been falsely implicated in this

case. Learned counsel submits that the name of the petitioner

has transpired in this case in the confessional statement of the



co-accused Mannu Malik @ Maniya Dom who has already been granted bail by a learned coordinate Bench of this Court vide order dated 13.01.2020 passed in Cr.Misc. No.82727 of 2019.

Learned counsel submits that so far as this petitioner is concerned, he has not been put on T.I.P. and there is no recovery of any incriminating article from his possession. He further submits that in the four cases stated in paragraph '3' the petitioner is on bail in all the cases and in connection with the present case he has remained in jail since 30.08.2019.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this Court has noticed the submissions of learned counsel for the petitioner that the name of the petitioner has transpired in this case in the confessional statement of the co-accused Mannu Malik @ Maniya Dom who has already been granted bail by a learned coordinate Bench of this Court vide order dated 13.01.2020 passed in Cr.Misc. No.82727 of 2019, so far as this petitioner is concerned, he has not been put on T.I.P. and there is no recovery of any incriminating article from his possession and further that in the four cases stated in paragraph '3' he is on bail in all the cases, in connection with the present



case he has remained in jail since 30.08.2019, investigation against him is complete and at this stage there is no submission of the State that his release is likely to result in tampering with the evidence or interfering with the course of trial, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Kiul, Lakhisarai in connection with GRPS Jamalpur P.S. Case No.83 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

