

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55911 of 2021

Arising Out of PS. Case No.-15 Year-2020 Thana- KASBA District- Purnia

Mushahid Alam, aged about 19 years, male, Son of Mujahid Resident of
Village- Bahura Bada Idgah P.S- Amar Dist- Purnia

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vikram Singh, Adv.
For the Opposite Party : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 15-12-2021 Heard learned counsel for petitioner and learned counsel
for the State.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon to do so by the office.

The petitioner seeks bail in *Kasba* PS Case No.15 of
2020, instituted for the offence under Section 392 of the Indian
Penal Code.

Earlier, the prayer for bail of the petitioner was rejected
by this Court by order dated 21.12.2020 passed in Cr. Misc. No.
29012 of 2020 vide Annexure-1.

The petitioner is in custody since 29.04.2020. There is
alleged recovery of laptop and some looted articles. The



recovery is to be viewed with the allegations in the background that three miscreants have intercepted the informant and they have decamped with the belongings.

It is submitted that beyond framing of charges, there is no progress at the trial and not a single witness has been examined. Raising this ground, he has renewed his prayer for bail before the learned Trial Court. However, the same has not been considered favourably.

Having regard to the period of custody and the fact that there is no progress at the trial, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. 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 learned Judicial Magistrate- 1st Class, Purnia, in connection with *Kasba* PS Case No.15 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shyambihari/-

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

