

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3898 of 2021

Arising Out of PS. Case No.-311 Year-2019 Thana- PATLIPUTRA District- Patna

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Mohammad Sikandar S/O Mohammad Razak (AHMAD) R/O Dargah
Karwala, Dargah Road, P.S.- Sultanganj, District- Patna

... .. Petitioner/s

Versus

State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 30-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Section 394 of the Indian Penal Code.

Prosecution case is that when the informant was going
for treatment, on the way, some miscreants took golden chain
from her neck and ear ring.

Learned counsel for the petitioner submits that
petitioner is innocent, not named in the FIR and has been falsely
implicated in this case. He submits that petitioner has been
made accused on the confessional statement of co-accused. He
submits that petitioner has been identified in CCTV footage but
the said identification is not in accordance with law. He submits
that till date the petitioner has not been put on TIP. He submits
that similarly situated co-accused has been granted bail by a



coordinate Bench of this Court in Cr. Misc. No. 12818 of 2021 on 15.06.2021. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner. He submits that petitioner has been remanded in another case. He further submits that petitioner bears no criminal antecedent and he is languishing in judicial custody since 24.06.2020.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Patliputra P.S. Case No. 311 of 2019, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He 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 and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.



(III) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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