

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39348 of 2020

Arising Out of PS. Case No.-79 Year-2020 Thana- BHAPTIAHI District- Supaul

BADSHAH KHAN Son of Md. Kabir Khan Resident of Village- Fakhrahi
Parabanna, P.S.- Nauhatta, District- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 04-03-2021 Heard learned Counsel for the petitioner and the learned
Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Bhaptiyahi PS Case No. 79 of 2020 registered under Section 392 of the IPC.

Learned Counsel for the petitioner submits that the allegation of taking the music system from the vehicle of the informant is on extraneous consideration. In fact, the informant has overtaken petitioner's vehicle and in a road rage petitioner has been implicated, though there is no criminal antecedent of the petitioner and he is in custody since 13.8.2020.

Learned APP has opposed the prayer for bail and has submitted that the music system has been found in the petitioner's vehicle.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.



Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Supaul in Bhaptiyahi PS Case No. 79 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)

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