

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4227 of 2021

Arising Out of PS. Case No.-73 Year-2020 Thana- NARPATGANJ District- Araria

ARIF @ MD. ARIF Son of Majalum Hussain Village- Bardaha, P.S.-
Narpatganj, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-06-2021 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 Narpatganj (Ghurna OP)
P.S. Case No. 73 of 2020 (GR No. 486/2020), registered for the
offence punishable under Section 394 of the Indian Penal Code.

As per the prosecution case, on the alleged date and
time of occurrence, while the informant was returning on his
motorcycle from his sister-in-law house, on the way, three
miscreants intercepted the motorcycle of informant and
assaulted him and looted his motorcycle and fled away.

It is submitted on behalf of the petitioner that
petitioner is neither named in the FIR nor any incriminating



article has been recovered from his possession. Name of the petitioner has come in this case on the basis of confessional statement of co-accused Lalu. No test identification parade has been held till date. Petitioner is in custody since 30.06.2020. Investigation is complete.

Learned APP vehemently opposed the prayer for bail.

Considering the fact that nothing has been recovered from possession of this petitioner and no TIP has been held till date, 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, Araria in connection with Narpatganj (Ghurna OP) P.S. Case No. 73 of 2020 (GR No. 486/2020), 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	
---	--	---	--

