

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2247 of 2021

Arising Out of PS. Case No.-154 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

Md. Sahjad, son of Md. Habib, R/O Village-Baragovind, P.S.- Chakiya,
District-East Champaran (Motihari)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Advocate Ms. Vaishnavi Singh, Advocate
For the State	:	Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 27-05-2021 This matter has been taken up today for consideration through video conferencing in view of resurgence of COVID-19 Pandemic.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Sahebganj P.S. Case No.154 of 2020 instituted for the offence punishable under Section 392 of the Indian Penal Code.

There is an allegation that four persons have stopped



the informant's motorcycle and after brandishing weapon and hitting him with the butt of the firearm have snatched his wallet, mobile, cash etc. and ATM card. They have also taken away his motorcycle.

It is submitted by the petitioner's counsel that the petitioner was in custody in connection with Baruraj P.S. Case No.49 of 2020 and after recording his confessional statement while he was in police custody, he has been implicated in five more cases, including the instant case. The petitioner has now been in custody since 08.06.2020. Implication of the petitioner in the instant case is based on his own confessional statement in Baruraj P.S. Case No.49 of 2020 which has led to no recovery. The petitioner is on bail in Baruraj P.S. Case No.49 of 2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for bail.

Accordingly, 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 learned Additional Chief Judicial Magistrate-I (West), Muzaffarpur, in connection with Sahebganj P.S. Case



No.154 of 2020, subject to the following conditions:

(i) That one of the bailors of the petitioner 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 bonds will be liable to be cancelled.

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

(Madhuresh Prasad, J)

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