

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4141 of 2021

Arising Out of PS. Case No.-139 Year-2018 Thana- MANIYARI District- Muzaffarpur

MD. MOQEEM Son of Md. Naim Sah @ Md. Naim Resident of Village-
Mohammadpur Mobarak, Parkhotimpur, P.S.- Maniyari, District-
Muzaffarpur, Pin Code- 842002 (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhen Sarkar, Adv.

Mr. Amit Anand, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-04-2021 Heard both parties.

The petitioner seeks bail in Maniyari P.S. Case No. 139/2018, registered for the offence punishable under Section 392 of the Indian Penal Code.

As per prosecution case, some unknown miscreants on the point of pistol intercepted the informant, who was coming on his motorcycle, and snatched his bag containing Rs. 1,34,287/- and other articles and fled away.

It has been submitted on behalf of the petitioner that petitioner is not named in the F.I.R. No incriminating article has been recovered from his possession. Till date petitioner has not been put on T.I.P. Similarly situated co-accused, namely, Ritik Kumar, having identical accusation, has already been granted bail by a co-ordinate Bench of this Court vide order dated 27.01.2021



passed in Cr. Misc. No. 36152/2020.

Petitioner is in custody since 07.05.2020.

Considering the facts aforesaid and the fact that till date T.I.P. has not been held and no looted article has been recovered from possession of petitioner, 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 learned Judicial Magistrate 1st Class, Muzaffarpur, subject to the 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)

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