

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 7948 of 2021

Arising Out of PS. Case No.-94 Year-2020 Thana- BARSOI District- Katihar

SABRATU ALIAS HAFIJUDDIN SON OF MEGHWA RESIDENT OF
VILLAGE - DHUM TOLA, POLICE STATION - BARSOI (KACHNA O.P.),
DISTRICT - KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Md Helal Ahmad, Advocate

For the Opposite Party/s : Mr Dashrath Mehta, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 12-08-2021 This case has been taken up for consideration today
through Video Conferencing.

Heard learned counsel for the petitioner and the
learned Additional Public Prosecutor (for brevity, *APP*)
appearing for the State of Bihar.

The petitioner seeks bail in Barsoi (Kachna OP)
Police Station (for brevity, *PS*) Case No 94 of 2020 dated
04.06.2020 instituted for the offence punishable under Sections
457, 380, 511 of Indian Penal Code.

Since 05.06.2020, the petitioner is stated to be in
custody. The statement, in paragraph 3 of the petition, is that he
has no criminal antecedent. It is alleged that while the
informant was sleeping, petitioner has attempted to take away



some jewellery. She has apprehended him and he has been handed over to the police.

Learned counsel for the petitioner submits that no jewellery has been stolen. The prosecution story itself suggests false implication.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Katihar in connection with Barsoi (Kachna OP) PS Case No 94 of 2020 dated 04.06.2020 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.

Learned counsel for the petitioner is expected to



honour his undertaking given in the instant proceedings today
for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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