

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 8035 of 2021**

**In
CRIMINAL MISCELLANEOUS No 24652 of 2020**

Arising Out of PS. Case No.-17 Year-2020 Thana- BANMANKHI District- Purnia

MD ISLAM @ MD ISTAM @ MD ISTAM ALAM SON OF LATE MD.
JAMARUDDIN R/O JANKINAGAR BINOVAGRAM, P.S.- JANKI
NAGAR, DISTRICT- PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s Sanjay Sinha, Md Fazle Karim, Advocates
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 30-01-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

Earlier, the petitioner's prayer for bail was rejected
under order dated 22.09.2020 passed in Cr Misc No 24652 of
2020 (Annexure 1).

The petitioner seeks bail in Banmankhi Police Station
(for brevity, *PS*) Case No 17 of 2020 instituted initially for the
offence punishable under Section 392 of Indian Penal Code (for
brevity, *IPC*) but later on added with Section 411 of IPC.

It is submitted by petitioner's counsel that now the
petitioner has remained in custody for one year. Other co-
accused Md Mojib has recently been allowed regular bail by the



Court below itself.

The learned APP for the State has submitted that earlier petitioner's prayer for bail was rejected on account of recovery of a motorcycle used in the alleged occurrence being recovered from his courtyard which stood in the name of his sister.

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, Purnea in Bamankhi PS Case No 17 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.

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)

M.E.H./-

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