

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11140 of 2021**

Arising Out of PS. Case No.-652 Year-2020 Thana- SUPAUL District- Supaul

Md. Saddam @ Saddam Hussain S/o Md. Salauddin, resident of village-
Nunupatti, P.S- Supaul, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Smt. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 07-07-2021 In view of sudden resurgence of COVID-19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

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

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

Petitioner seeks bail in Supaul P.S. Case No. 652 of 2020 registered for offence punishable under sections 399, 402, 411, 414 of the Indian Penal Code.

To verify information regarding assembly of certain



criminals, who were possessing some looted motor cycles, the police have gone to the place and from there persons have started fleeing away. The petitioner is one who has been apprehended and from his possession there is alleged recovery of a knife and a Vivo mobile.

The petitioner's counsel submits that the petitioner's arrest is from near his house. The motor cycle on which the petitioner was sitting stands in the name of his uncle and in support thereof he has annexed photo copy of Registration certificate. He further submits that since his house was in the vicinity he has become a victim of the circumstances and having no criminal antecedent he is in custody since 17.09.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in Supaul P.S. Case No. 652 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 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.

(Madhuresh Prasad, J)

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