

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2289 of 2022

Arising Out of PS. Case No.-52 Year-2021 Thana- JAYNAGAR District- Madhubani

MD. HIRA Son of Md. Hasim Resident of Village - Bhelwa Tola, Jaynagar,
P.S.- Jaynagar, Distt.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Ranjan, Adv

For the Opposite Party/s : Mr.Sunil Kumar Pandey,A PP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

Petitioner seeks bail in a case registered for the offences punishable under Section 392 of the Indian Penal Code.

The prosecution case, in short, is that on 12.02.2021, the bag of the informant, containing amount, documents and key of the shop, has been snatched by three unknown persons while he was returning to home from his shop.

Learned counsel appearing for the petitioner submits that petitioner has clean antecedent. He has falsely been



implicated in the present case. He further submits that in fact the petitioner is not named in the FIR. The name of the petitioner has been transpired only on the basis of the confessional statement of co-accused, namely, Md. Amzad Safi and Md. Mumtaz. He further submits that nothing has been recovered from conscious possession of the petitioner and till date no TIP has been conducted by the prosecution and the petitioner is in custody since 13.09.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 Court below where the case is pending in connection with Jay Nagar Police Station Case No.52 of 2021, with the following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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