

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6939 of 2022

Arising Out of PS. Case No.-188 Year-2021 Thana- MAHUA District- Vaishali

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Sharfaraj @ Prince @ Raja Son Of Md. Ayub R/O Village- Hathsarganj, P.S.-
Hajipur Town, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate

For the Opposite Party/s : Mr. A.G

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 15-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within four
weeks from today.

The petitioner seeks regular bail in connection with
Mahua P.S. Case No. 188 of 2021 instituted for the offences
punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 31.08.2021, charge-sheet has been
submitted in the case and has antecedent of five cases.

The prosecution case in brief is that the informant is a
Credit Officer in Uttakarsh Small Finance Bank. It is alleged
that on 16.03.2021, the informant was returning by motorcycle
from Centre No. 97, situated at Jahangirpur Salkhani after



collecting Rs. 11,520/- and when he reached near Yogi Baba Asthan, two miscreants came on black splendor motorcycle and overtook and stopped motorcycle of the informant and looted the said cash and mobile phone on the point of pistol. Thereafter, they took out the key of the motorcycle and threw it in the forest and fled away.

Learned counsel for the petitioner submits that the petitioner is not named in F.I.R., no Test Identification Parade (T.I.P.) had been done as yet and it is also submitted that the petitioner has been remanded in this case from Mahua P.S. Case No. 215 of 2021 on remand by the police. He confessed his involvement in the present case. It is further stated that he has been implicated in this case on the basis of mere suspicion and aforesaid confession.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 31.08.2021, charge-sheet has been submitted in the case , let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Mahua P.S. Case



No. 188 of 2021, subject to 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

(3) 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.

(Khatim Reza, J)

Gaurav Kumar/-

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