

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8244 of 2022

Arising Out of PS. Case No.-210 Year-2021 Thana- JOGBANI District- Araria

Md. Alam @ Moalam @ Mo. Alam @ Md. Alam Baitha S/o Md. Safur R/o
village- Sonapur, Ward No. 11, P.S.- Bathnaha O.P. (Narpatganj), District-
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gopal Kumar Jha
For the Opposite Party/s	:	Mr. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with Jogbani
(Bathnaha) P.S. Case No. 210 of 2021 registered for the offence
under Sections 379 and 411 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 15.09.2021.

As per the allegations set out in F.I.R., the accusation
against the petitioner is to run away from the place of
occurrence after arrival of the police.

Learned counsel appearing on behalf of the petitioner
submitted that there is nothing incriminating surfaced against
the petitioner during the course of investigation. It has further



been submitted that no recovery has been made from the petitioner rather same has been recovered from the house of co-accused. It has also been submitted that chargesheet has been submitted in this case as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that recovery has not been made from accused petitioner.

Considering the facts and submissions as made above and as the recovery of the alleged material has not been made from the possession of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Jogbani (Bathnaha) P.S. Case No. 210 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Araria subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail



of the petitioner.

(ii) That one of the bailors shall be
the close relative of the accused/petitioner
like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

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