

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10579 of 2022

Arising Out of PS. Case No.-77 Year-2019 Thana- RUPASPUR District- Patna

MD MERAJ @ MD MERAZ @ MANNA S/o Abdul Kayum Resident of
Mohalla - Old Emarat Sariya, P.S. - Phulwari Sharif, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Anand

For the Opposite Party/s : Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-03-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is directed to remove the defects as pointed out by the office within a period of four weeks. In the eventuality of non-removal of defects within the stipulated time, office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 392 of the IPC.

Earlier, the prayer for bail of this petitioner was rejected vide order dated 18.08.2021 passed in Cr. Misc. No.25910 of 2021 by this Court.

The petitioner has now filed this application for bail.

It is submitted by learned counsel for the petitioner that petitioner is not named in the F.I.R. During investigation, on the



confessional statement of the co-accused, he has been made accused in this case. Petitioner has 12 criminal antecedents, which is also mentioned at para-3 of this application. It is further submitted that charge has been framed against the petitioner and he is in custody since 12.06.2019.

Under the aforesaid facts and circumstances, considering that the charge has been framed against the petitioner and the period of custody of more than two years and six months, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Rupaspur P.S. Case No.77 of 2019, subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate



the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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