

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9914 of 2022

Arising Out of PS. Case No.-662 Year-2020 Thana- PATRAKARNAGAR District- Patna

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Md. Chand Son of Md. Jawed Resident of Village- Purani Bazar,
Bakhtiyarpur, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Kamaluddin, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

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

The petitioner seeks bail in connection with Patrakar
Nagar P.S. Case No. 662 of 2020 registered for the offence
under Sections 356 and 379 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 05.12.2020.

The allegation against the petitioner is to commit



theft, and while committing so, taken away golden chain of the informant by snatching from her neck.

Learned counsel appearing on behalf of the petitioner submitted that the the name of the petitioner surfaced on the basis of confessional statement and nothing incriminating material recovered from the conscious physical possession of the petitioner, which may connect the petitioner with the present set of occurrence. It has been pointed out that the petitioner is involved in eight other criminal cases out of which he is on bail in five cases and in most of the cases, the name of the petitioner surfaced on the basis of confessional statement, as of present case. While concluding the argument, it has been submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that the petitioner is not named in the F.I.R. and further chargesheet has been submitted under Section 392 of Indian Penal Code against the petitioner.

Considering the facts and circumstances as mentioned above, as nothing incriminating recovered during the course of



investigation, which may connect the petitioner with the present set of occurrence coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Patrakar Nagar P.S. Case No. 662 of 2020 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-VIII, Patna, 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 bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by



the documents.

(iii) That one of the bailors shall be
Md. Javed, who is the father of the petitioner
and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

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