

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11616 of 2022

Arising Out of PS. Case No.-99 Year-2021 Thana- BALRAMPUR District- Katihar

MD. KAISAR @ MD. KAISAR ALAM Son of - Md. Naim @ Shakil
Resident of Village - Konal (Purani Haat), Police Station - Dalkola, District -
North Dinajpur (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Balrampur P.S. Case No. 99 of 2021 for the offence punishable
under Sections 395 and 397 of the Indian Penal Code.

The F.I.R. is against unknown. Unknown miscreants
are said to have thrown bomb in the courtyard of the informant
with an intention to commit loot. It is alleged that the accused
persons have looted away gold and silver ornaments, cash of
Rs.8000/- and mobile phones of the informant and his family



members.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He is not named in the F.I.R. Till date petitioner has not been put on T.I.P. No recovery of any incriminate article has been made either from the conscious possession of the petitioner or from his house. Petitioner is in custody since 14.09.2021.

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

Considering the nature of allegation made in the F.I.R., it appears that petitioner is not named in the F.I.R., charge sheet has already been submitted in the present case and the petitioner is in custody since 14.09.2021, without going into the merits of the case, the petitioner, above named, 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 ACJM-VI, Katihar in connection with Balrampur P.S. Case No. 99 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court



concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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