

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12689 of 2022

Arising Out of PS. Case No.-1043 Year-2021 Thana- FORBESGANJ District- Araria

DOMA @ YUNUS, Son of Muslim Resident of Village - Rampur South,
Ward No.01, P.s.- Forbesgaj, Distt.- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh
For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 13-07-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Forbesganj P.S. Case No. 1043 of 2021, registered for the

offences punishable under Section 394 of the I.P.C. read

with Sections 25(1-B)/26A of the Arms Act.

As per allegation, the petitioner along with his

associates has committed robbery and snatched Rs.

50,000/- and some documents on the point of pistol from

the informant.

The learned counsel for the petitioner submits that

the petitioner is not named in the F.I.R. and no recovery has



been made from his conscious possession. No Test Identification Parade has been conducted. He further submits that charge-sheet has been submitted. However, charge has not been framed against him.

The petitioner is in custody since 18.12.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail.

It has further been stated that the petitioner has been made accused in three other cases, namely, Forbesganj P.S. Case No. 372 of 2020, Forbesganj P.S. Case No. 415 of 2020 and Forbesganj P.S. Case No. 480 of 2020.

However, the learned APP for the State has opposed the prayer for bail.

Considering the facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Araria in connection with Forbesganj P.S. Case No. 1043 of 2021, **after framing of**



charge, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is



wrong, the learned court below shall cancel the bail bond of the petitioner.

The learned court below is also directed to proceed in the matter expeditiously.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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