

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25907 of 2021

Arising Out of PS. Case No.-230 Year-2020 Thana- PIPRAHI District- Sheohar

Alamgeer Shekh @ Maikal Son Of Md. Habib R/O Village- Raghapur
Bakhari, P.S.- Punaura, Dist.- Sitamarhi, At Present Resident Of Village-
Kasturiya, P.S.- Tariyani, Dist.- Sheohar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Adv

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 02-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Piprahi P.S.Case No.230 of 2020, registered for the offence under Sections 395 and 397 of IPC.

The prosecution case, in short, is that the informant heard noise then four-five persons entered into his room and assaulted with lathi danda upon which the informant sustained bleeding injury on his head and hand. The accused persons looted away various articles and cash including ornaments.



Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. He has falsely been implicated in the present case only on the basis of the confessional statement of co-accused, namely, Ram Charan Sahani @ Shiv Charan Sahani. He further submits that till date no T.I. Parade has been conducted by the prosecution. He further submits that some ornaments have been recovered from the house of the petitioner. He further submits that the recovered ornaments have been used by the petitioner's family members. The same is not looted articles. He further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 14.10.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the fact and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st, Sheohar in connection with Piprahi P.S. Case No.230 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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