

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16031 of 2022

Arising Out of PS. Case No.-171 Year-2019 Thana- LAUKAHA District- Madhubani

MD. NABIJUL Son Late Md. Majeed Resident of Village - Jhanjharpur, Ward no.12, P.s.- Jhanjharpur, Distt.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-07-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under Section 395 and 397 of the Indian Penal Code as well as under Section 3 and 4 of the Explosive Substances Act.

As per the prosecution case, 4 bhar gold and 50 bhar silver ornaments worth Rs. 1,65,000/- were looted by ten unknown miscreants. When the nephew of the informant started chasing them, then one miscreant threw a bomb at him, due to



which, his left hand was seriously injured.

Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is accused in seven other criminal cases, out of which, in two cases the petitioner has been acquitted as stated at para 3 of the bail petition. The petitioner is in custody since 17.07.2021. The petitioner is not named in the F.I.R. and the name of the petitioner has sprung up in the confessional statement of the co-accused, Hira Kumar Paswan.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Jhanjharpur, District-Madhubani, in connection with Laukaha P.S. Case No. 171 of 2019, with following conditions:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner will liable to be cancelled by the concerned Court below.

2. One of the bailors must be a close relative of the petitioner who have to give his genealogy as to how he is related to the petitioner.

3. If the petitioner is found involved in other criminal cases, his bail bond is liable to be cancelled by the concerned Court below.

The application stands allowed.

(Chandra Prakash Singh, J)

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