

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25288 of 2021

Arising Out of PS. Case No.-122 Year-2020 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Md. Arif @ Arif, S/O Md. Shafique Ansari R/O Village-Bishanpur Kateshar,
P.S.-Baligoun, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Arjun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

4 07-01-2022 The applicant/accused in Crime No. 122 of 2020 registered with L.N.M.U Police Station for the offences punishable under Sections 399, 402 and 120(B) of the Indian Penal Code, by this application is seeking his release on bail after filing of the charge sheet.

Heard the learned counsel appearing for the applicant/accused. He argued that no looted articles are seized from the applicant and co-accused Imam Hussain and Md. Atabul have been granted regular bail by a coordinate Bench of this Court vide order dated 13.11.2020 and 26.02.2021 passed in Criminal Misc. No. 25407 of 2020 and Criminal Misc. No. 36201 of 2021 respectively.

The learned Additional Public Prosecutor opposed



the application by contending that offence is serious.

I have considered the submissions so advanced and also perused the material placed before me.

The Police Station Officer of the University Police Station, Darbhanga received secret information that the applicant and the co-accused have taken shelter at the house of one Shiv Narayan Thakur and from where they were preparing for the dacoity. The raid was conducted. The applicant and others were apprehended from that house. The applicant was found to be having a dagger. The said dagger along with his cellphone is seized.

The Investigation of the crime in question is over. It is reported that co-accused namely Imam Hussain and Md. Atabul with similar roles are already released on bail by a coordinate Bench of this Court and hence, the order :-

- i. The application is allowed.
- ii. The applicant/accused in Crime No. 122 of 2020 registered with L.N.M.U Police Station for the offences punishable under Sections 399, 402 and 120(B) of the Indian Penal Code be released on bail on executing P.R. bond of Rs.20,000/- (Rupees Twenty Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the



following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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