

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16914 of 2022**

Arising Out of PS. Case No.-194 Year-2021 Thana- BISFI District- Madhubani

MD. GULAB S/o Md. Fazle R/o village- Dadari, P.S.- Nanpur, District-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Mushtaque Alam
For the Opposite Party/s : Mr.Bharat Lal

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

2 22-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect(s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Bisfi P.S. Case No. 194 of 2021, G.R. No. 550 of 2021 registered for the alleged offences under Sections 394/411 of the Indian Penal Code and under Section 27 of the Arms Act.

The prosecution case is that the petitioner and other co-accused persons, looted on gun point, from the informant Rs. 1 lakh which he has withdrawn from the Bank. While the petitioner and other public persons chased the culprits, they fired upon the informant but the informant was luckily saved.



The petitioner and two co-accused persons were apprehended after chase and Rs. 1 lakh was also recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He has been made accused in this case on suspicion as he was going to his home and he hit the goat with his cycle and the villagers assaulted him and handed him over to the police. One of the co-accused persons Md Saifullah@ Md. Bablu has been granted bail by learned court below and the case of the petitioner is on better footing. Charge sheet has been submitted in this case and the petitioner is in custody since 13.08.2021.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the fact that charge sheet has been submitted and the petitioner is in custody since 13.08.2021, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Benipatti, Madhubani in connection with Bisfi P.S. Case No. 194 of 2021, G.R. No. 550 of 2021, subject to the other conditions as laid down under Section 437(3) of the Cr.P.C.

(i) The bail bond of the petitioner will
be accepted only after framing of



charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) The petitioner will not indulge in similar type of offences in future.

(v) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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