

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21048 of 2022

Arising Out of PS. Case No.-23 Year-2016 Thana- AIRPORT District- Patna

MD. WASIF, Son of Md. Ashraf @ Asharaf Hussain R/O Mohalla - Bauli,
Phulwarisharif, P.S.- Phulwarisharif, District - Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms.Rina Sinha,Adv.

For the Opposite Party/s : Mr.Tapeshwar Sharma,A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-09-2022 Learned counsel for the petitioner shall remove all the defects pointed out by the stamp reporter within three weeks from today.

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

This is the second attempt of the petitioner to obtain regular bail in connection with Hawaii Adda P.S. Case No. 23 of 2016 registered for the offence under Section 392 of the Indian Penal Code . The petitioner has three criminal antecedents. He is in custody since 27.01.2021.

Earlier the prayer for bail of the petitioner was dismissed as withdrawn vide order dated 21.02.2022 passed in Cr.Misc.No. 38013 of 2021 due to non- disclosure of criminal antecedents of the petitioner in the main bail application.

Learned counsel for the petitioner submits that the



name of the petitioner has transpired in the statement of the co-accused and the petitioner is in custody since 27.01.2021. It is submitted that the petitioner has got three criminal antecedents and in all the cases he is on bail.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Having regard to the facts and circumstance of the case and the submission that the name of the petitioner has transpired in the statement of the co-accused, the petitioner is in custody since 27.01.2021, he has got three criminal antecedents and in all the cases he is on bail, this Court directs release of the petitioner above named on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of Smt. Tanveer Kaur, Judicial Magistrate Ist Class/concerned court, Patna in connection with Hawaii Adda P.S. Case No. 23/2016, subject to the conditions as laid down under Section 437(3) Cr.P.C.

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.

Certified copy of the order will be made available only
after removal of the defects.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

