

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23723 of 2022

Arising Out of PS. Case No.-51 Year-2022 Thana- GAYA KOTWALI District- Gaya

Arbaj Khan @ Md Ebaj Khan Son of Md. Faiyaz khan Resident of Village -
Manjhauli, P.s.- Fatehpur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 01-09-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Gaya Kotwali P.S. Case No. 51 of 2022s lodged under Sections
419, 420, 379, 511 and 34 of the I.P.C.

As per the prosecution case, the petitioner was
arrested from the place of occurrence. The said action was taken
upon start of ATM alarm. The present petitioner was
apprehended and one accused was fled away from the place of
occurrence.

Learned counsel for the petitioner submits that
petitioner has arrested on suspicion. He submits that petitioner is

in custody since 07.02.2022, charge sheet has been filed in this case and he has having clean antecedent.

Learned counsel for the State opposes the prayer for bail and submits that petitioner is a member of a gang who involve in breaking of ATM and there is a chance that he shall abscond.

In the present facts and circumstances of this case and considering the age of the petitioner, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Gaya Kotwali P.S. Case No. 51 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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