

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26893 of 2022

Arising Out of PS. Case No.-60 Year-2019 Thana- BALIA BELON District- Katihar

Abdul Manan @ Md Abdul Manan Son of Late Abdul Khaliq Resident of
Village - Pokhariya, P.s.- Baisi, Distt.- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jitendra Kumar Singh. APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Beliya Belon P.S. Case No. 60 of 2019 lodged under Sections
382/452 of the Indian Penal Code.

The F.I.R. has been lodged against 10-15 unknown
persons. Allegation of robbery of 5 Bhari Gold and 40 Bhari
Silver has been made.

Learned counsel for the petitioner submits that F.I.R.
has been lodged against unknown persons. He further submits
that during course of investigation one of the co-accused namely
Rubez Alam has disclosed the name of present petitioner in his

confessional statement. He further submits that none of the looted articles are alleged to have been recovered from the petitioner and he has not yet been put on TIP. Learned counsel for the petitioner submits that petitioner is in custody since 07.01.2021, chargesheet has already been filed in this case. On the point of criminal antecedent, learned counsel for the petitioner submits that there are 2 cases pending against the present petitioner and in both the cases he is on bail and ready to fulfill all the conditions whatsoever it may be, imposed upon him by the Court. Learned counsel for the petitioner further submits that the accused from whose confessional statement his name has figured has already been granted bail by the Coordinate Bench of this Court vide order dated 15.11.2019 passed in Cr. Misc. No. 61947 of 2019.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Baliya Belon P.S. Case No. 60 of 2019, 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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