

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26733 of 2022

Arising Out of PS. Case No.-50 Year-2021 Thana- SIKARPUR District- West Champaran

Chunnu Alam @ Chunnu Miyan @ Chunna Alam Son Of Hadish Miya @
Hadish Alam Resident Of -Badka Tuniya P.S - Manuapool District- West
Champaran Currently Residing At Bhola Tola Ward No 6 P.S. -Chanpatiya
District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanchay Srivastava, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-08-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

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

Petitioner seeks bail in a case registered for the
offence punishable under Section 379 of IPC.

The motorcycle of the informant is said to have been
stolen.

Learned counsel appearing for the petitioner submits
that in fact the petitioner is not named in the FIR. The name of
the petitioner has been transpired on the basis of the
confessional statement of the co-accused, namely,
Aasuhasmuddin. Further submits that no incriminating article



has been recovered from possession of the petitioner. Further submits that the several FIRs were lodged against the present petitioner and the petitioner has been made accused in number of cases as mentioned in para-3 of the bail petition were lodged after institution of the present FIR and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 27.01.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries eleven more cases other than the present one.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Shikarpur P.S. Case No.50 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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.

(Rajesh Kumar Verma, J)

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