

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28970 of 2022

Arising Out of PS. Case No.-57 Year-2022 Thana- BACHHWARA District- Begusarai

Md. Tabrej, S/o Md. Irfan, Resident of Village - Phulwaria Ward No. 06,
Police Station - Phulwaria, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar, Advocate

For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 14-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

In the present case, the petitioner seeks bail in
connection with Bachhwara P.S. Case No. 57 of 2022 registered
for the alleged offences under Sections 392 and 397 of the
Indian Penal Code.

As per prosecution case, two unknown miscreants
stopped the informant while he was returning from his
workplace and threatened him with a pistol and snatched the
keys of his motorcycle and also snatched his purse and mobile
phone and took away his motorcycle. The name of the petitioner
transpired during investigation as one of the accused persons



involved in this crime.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case on the basis of the confessional statement of this petitioner. Nothing incriminating has been recovered from the conscious possession of this petitioner. The petitioner is a painter and he worked in the garage of one Md. Rafique from where the motorcycle was recovered. The petitioner has no concern with the seized motorcycle. The petitioner was not put to any Test Identification Parade. The learned counsel further submits that the petitioner is in custody since 12.03.2022. The charge sheet has been submitted in this case. The petitioner is having no criminal history.

Learned A.P.P. opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the submission of charge sheet and the period of custody of this petitioner along with his clean antecedent, he 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 Chief Judicial Magistrate, Begusarai in connection with Bachhwara P.S. Case No. 57 of 2022, subject to



the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

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

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

(iii) 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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