

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40920 of 2021**

Arising Out of PS. Case No.-16 Year-2021 Thana- KHAJANCHI HAT District- Purnia

MD AFSAR Son of Md Nasim Akhtar Resident of Village- Lakhna, P.S.-
Kasba, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 19-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 21.01.2020 seeks
regular bail in connection with K. Hat (Madhubani) P.S. Case
No. 16 of 2021 registered for offence punishable under Section
379 and 411 of the Indian Penal Code.

Prosecution case in brief is that the informant went to
Jay Prakash Colony and parked his bike near the gate of one
Umesh Prasad Singh and when he returned, he found his bike
missing.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is innocent and just because one criminal case is pending against him, he has been implicated in this case. In course of investigation co-accused Md. Raj has taken the name of the petitioner due to previous enmity. Petitioner is in custody since 21.01.2020.

Learned A.P.P. has opposed the prayer for bail.

Considering the facts and circumstances of the case as well as there is no allegation of tampering the evidence or influencing the witness against the petitioner, the petitioner above named is directed to be enlarged to bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Purnea in connection with K. Hat (Madhubani) P.S. Case No. 16 of 2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

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