

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34678 of 2022

Arising Out of PS. Case No.-119 Year-2021 Thana- ABADPUR District- Katihar

Sk Rashidul @ Rashidul Haque Son of Md. Ishaque Resident of Village -
Bhawanipur , P.s.- Abadpur, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Musowir, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-11-2022 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
S.T. No. 190 of 2022 arising out of Abadpur P.S. Case No. 119
of 2021, lodged under Sections 395/397 of the Indian Penal
Code read with Section 25(1-b)a/35 of Arms Act.

As per prosecution case, the *docoity* of gold and sliver
jewellery of the informant's wife from her almirah has alleged
to be made and F.I.R. has been filed against 6-7 unknown
accused persons.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further

submits that nothing incriminating was recovered from the possession of petitioner, nor he was put on T.I.P. He further submits that there is one criminal case pending against the petitioner, which is of the year 2013, in which he is on bail. He further submits that petitioner is in custody since 11.12.2021 and charge sheet has already been filed in this case.

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 A.D.J.-Vth, Katihar, District Katihar in connection with S.T. No. 190 of 2022 arising out of Abadpur P.S. Case No. 119 of 2021, 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 be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship 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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