

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33824 of 2022

Arising Out of PS. Case No.-129 Year-2021 Thana- ISHAKCHAK District- Bhagalpur

Raju Ansari Son of Mustafa Ansari Resident of Village - Bhikhanpur Gumti
No. 2 (Near Choti Masjid), P.S. - Ishakchak, District - Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya, Advocate.

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP.;

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Heard Mr. Diwakar Upadhyaya, learned counsel for the
petitioner and Mr. Vinod Shanker Modi, learned APP for the State.

Petitioner seeks regular bail in connection with Ishakchak
P.S case No 129 of 2021, registered for the offences punishable under
Sections 379 , 511 of the Indian Penal Code.

Allegedly the petitioner was caught red handed while
dishonestly removing a tyre of the auto rickshaw of the informant.

The main submissions advanced by Mr. Diwakar
Upadhyaya, learned counsel for petitioner are that the petitioner has
been languishing in jail since 13.09.2021, in fact the petitioner had a
dispute with respect to payment of wages with the informant at the
relevant time of alleged occurrence owing to the said reasons the
present case was falsely registered by the informant to harass this
petitioner and against this petitioner the charge has been framed by



the trial Court and the present case relates to attempt of theft.

Mr. Vinod Shanker Modi, learned APP for the State has opposed the prayer for bail.

In view of the above submissions and considering the nature of allegation, in the opinion of this Court the petitioner deserves to a lenient approach let the petitioner 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 the concerned Court in connection with Ishakchak P.S. case no. 129 of 2021, on 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 below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his 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.

(3) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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