

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42585 of 2021

Arising Out of PS. Case No.-393 Year-2021 Thana- ARARIA District- Araria

MD. SERAJ ALAM @ SERAJ ALAM Son of Gul Mohammad Resident of
Village- Fariyani Ward No.04, Police Station- Sri Nagar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP for 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 30.05.2021, seeks
regular bail in connection with Araria P.S. Case No. 393 of 2021
registered for offences punishable under Sections 392 of the
Indian Penal Code.

Prosecution case, in brief, is that on 16.05.2011, in the
morning, when the informant was going with his loaded tractor,
near Culvert Paiktola School, two culprits came and dragged the
informant from the tractor and snatched a Samsung mobile
phone having Airtel Sim No. 9262280890 and cash of Rs. 800



from the pocket of the informant and went away with the tractor after tying him.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has been roped in the present case on the basis of confessional statement of one co-accused Md. Afsar due to enmity. Petitioner has clean antecedent and he is in custody since 30.05.2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case, nothing has been recovered from the conscious possession of the petitioner as well as there is no allegation of tampering the evidence or influencing the witnesses and trial is also not likely to be concluded soon due to COVID-19, the petitioner, above named, is directed to be enlarged on 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 Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 393 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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