

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41454 of 2022

Arising Out of PS. Case No.-252 Year-2022 Thana- SITAMARHI District- Sitamarhi

MD. JAMSHED MAHNSOORI @ MD.JAMSHED SON OF MOHAMMAD
JABBAR MIYA @ MD. JABBAR MANSOORI R/O VILLAGE-
CHAKMAHILA, P.S. AND DISTT.- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-11-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Sitamarhi P.S. Case No. 252 of 2022 registered for the offences
punishable under Section 414/34 of the Indian Penal Code.

As per prosecution case, two motorcycles i.e. one
Apache and one Glamour were recovered from the house of the
petitioner.

Learned counsel for the petitioner submits that
petitioner is in custody since 27.05.2022 and bears criminal
antecedent of one case which is not similar to the present case.



He further submits that petitioner has no knowledge about the said motorcycles and police has seized the said motorcycles in front of house of the petitioner and petitioner has falsely been implicated in the present case. He further submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, as submitted, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 252 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.



(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

shahzad/-

U		T	
---	--	---	--

