

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41869 of 2022

Arising Out of PS. Case No.-291 Year-2021 Thana- BELDOUR District- Khagaria

MD. FAISAL S/o Md. Khurshid Alam R/o village- Raisar (Mukhtar Colony),
P.S.- Kotwali, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 356, 379 of
the Indian Penal Code.

According to prosecution case, in brief by informant
Raj Kumar is that he went for collection with his Branch
Operation Manager and after collection on the way two
unknown persons were standing with motorcycle in front of
Switch gate. Accused persons snatched their bag which kept
Rs.12,3300/- of collection, one Device Machine and snatched
mobiles. All accused persons threw his key of motorcycle and
fled away towards Osraha pull.



Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that in fact the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused namely, Priyanshu Kumar. He further submits that nothing has been recovered from the conscious possession of the petitioner or the house of the petitioner and except the confessional statement of co-accused no cognizance material has come during investigation against the petitioner.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries two criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with G.R. No. 3883 of 2021, arising out of Beldaur P.S. Case No. 291 of 2021, subject to the conditions



as laid down under Section 438(2) of the Cr.P.C. and also 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 and shall remain physically present as directed by the court 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. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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