

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54005 of 2021**

Arising Out of PS. Case No.-2 Year-2021 Thana- MADHUBANI TOWN District-  
Madhubani

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Md. Chand @ Md. Irfan S/O Hasnain @ Md. Hasnain R/O Village-Khairy  
Banka, P.S-Bisfi, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ravi Prakash, Adv.

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      11-04-2022                      Heard counsel for the petitioner Mrs. Leelawati  
Kumari, who is attached with the office of Mr. Ravi Prakash and  
the APP appearing for the State.

The petitioner has come under the judicial ambit in  
connection with Madhubani Town P.S. Case No.02 of 2021  
under Section 401, 379, 413, 414, 420, 467, 468, 471 of the  
Indian Penal Code.

As per the FIR, a person with suspicious nature was  
trying to unlock a motorcycle. The people confronted him who  
gave his name as Sudhir Sharma. He was arrested and he gave  
the name of his associates disclosing that they indulge in the  
crime of motorcycle theft. He further disclosed that this  
petitioner is the master mind who is used to arrange fooding and  
lodging of the gang members.



Learned counsel for the petitioner submits that the petitioner has been implicated only on the basis of the confessional statement of one Sudhir Sharma and is in judicial custody since 02.01.2021. She further submits that if he released on bail the petitioner shall abide by each and every conditions imposed by this Court.

Taking into account the fact that charge sheet has been submitted and there is no question of tampering with the evidence and since the petitioner is in custody since 02.01.2021 (as stated in para-14 bail application) this Court deems it proper to release him on bail subject to strict conditions in view of the fact that he is accused in at least five criminal cases of same nature (as stated in para-3 bail application).

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 in connection with Madhubani Town P.S. Case No.02 of 2021 to the satisfaction of learned Chief Judicial Magistrate, Madhubani, subject to following conditions:

- (i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;
- (ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall take steps for cancellation of his bail bonds.

With the aforesaid observation, the bail application is allowed.

**(Rajiv Roy, J)**

Prakash Narayan /-

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