

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52667 of 2021

Arising Out of PS. Case No.-100 Year-2019 Thana- DIGHALBANK District- Kishanganj

SHADAB @ SHADAB ALAM Son of Nurul Huda @ Nurul Hoda Resident
of Mohalla - LRP, Bahadurganj LRP, P.S.- Bahadurganj, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 12-04-2022 Heard learned counsel for the parties.

The petitioner is in jail in connection with Dighalbank
P.S. Case No. 100 of 2019 lodged on 26.11.2019 under Section
392 of the Indian Penal Code.

As per the prosecution case, the informant was
working as a Door Help Banking Officer in Bandhan Bank,
Tulsiya and after collecting Rs. 2,07, 435/- from the Female Self
Help Group while he was on way back to deposit the amount in
the bank, the four accused persons in two motorcycles hit his
motorcycle and later snatched the amount along with his mobile.

Learned counsel for the petitioner submits that he is
innocent and merely on the basis of confessional statement he
has been implicated as an accused for which he is already in
judicial custody since 15.10.2020 (as incorporated in paragraph-



13 of the bail application) as also in Cr. Misc. No. 57038 of 2021 one of the accused Mukarram @ Mukrram has been enlarged on bail vide order dated 11.04.2022.

Considering the aforesaid facts as also that the charge sheet has already been submitted in the case, the Court deems it fit to enlarge the petitioner on bail subject to imposition of conditions in view of the fact that he has criminal antecedent (as disclosed in paragraph-3 of the bail application).

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Kishanganj in connection with Dighalbank P.S. Case No. 100 of 2019, subject to the 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) he shall appear before the concerned police



station every month for next six months to mark his presence;

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

The bail application is allowed with the aforesaid observations.

(Rajiv Roy, J)

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