

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42792 of 2022

Arising Out of PS. Case No.-8 Year-2022 Thana- PARBATTI District- Bhagalpur

MD. JUBER ALAM Son of Md. Ebrahim @ Imran Resident of village-
Jamunia, P.S- Parbatta, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 17-11-2022 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 S.T.
No. 201 of 2022 arising out of Parbatta P.S. Case No. 08 of
2022 registered for the offences punishable under Section 413,
414 and 34 of the IPC.

As per prosecution case, petitioner alongwith other
apprehended with stolen motorcycle for which no satisfactory
paper has been given to the concerned authority.

Learned counsel for the petitioner submits that
petitioner is in custody since 18.01.2022 and bears five criminal
antecedent. Charge sheet has been submitted in the case and



there is no likelihood of tampering with the prosecution evidence. He further submits that co-accused Mritunjay Kumar was using that motorcycle and he had said that he has purchased that motorcycle from Madhepura, so in good faith he was going with him even without knowing this fact that the motorcycle in question was stolen one. He was only pillion rider on the said motorcycle in question.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner keeping in view the criminal antecedent.

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, 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, **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J-I, Naugachia, District-Bhagalpur in connection with S.T. No. 201 of 2022 arising out of Parbatta P.S. Case No. 08 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)

vashudha/-

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

