

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47489 of 2022

Arising Out of PS. Case No.-186 Year-2017 Thana- PATAHI District- East Champaran

RAHUL @ AMJAD HUSSAIN S/o Majid Miya @ Majid Miyan R/o village-
Biriti Tola, P.S.- Patahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar
For the Opposite Party/s : Mr.Umanath Mishra

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 09-12-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as

the learned Additional Public Prosecutor for the State through

video conferencing.

The petitioner is seeking regular bail in connection

with Patahi P.S. Case No. 186 of 2017, registered for the

offences punishable under Sections 279, 337, 338, 341, 379, 504

and 506 of the Indian Penal Code.

As per allegation, the informant Jitendra Ram was

going to Pachpakari Bazar with his brother, Bimlesh Ram by

motorcycle. When he was returning, some unknown persons



dashed him and he fell down. Thereafter, some persons came there and assaulted him and one of them, after snatching the key of his motorcycle, fled away with his motorcycle.

The learned counsel for the petitioner has submitted that petitioner is not named in the FIR. The alleged motorcycle was not recovered from the possession of the petitioner and he is under custody since 23.01.2022. The learned counsel for the petitioner has submitted further that though some cases are pending against the petitioner as disclosed in paragraph no. 3 of the bail petition, but in all those cases, the petitioner is not named in the FIR and on the similar ground, co-accused Tipu Sultan has been granted bail by a co-ordinate Bench of this Court in Criminal Miscellaneous No. 77365 of 2019, vide order dated 17.03.2020.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, East Champaran, Motihari in connection with Patahi P.S. Case No. 186 of 2017, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of



trial.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(iii) The petitioner shall remain present on each and every date of the trial till disposal of the case.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Nirmal/Mahesh

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