

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44469 of 2022**

Arising Out of PS. Case No.-307 Year-2021 Thana- KORHA District- Katihar

Md. Idrish Son of Salim @ Shekh Salim R/O Village- Mushapur, P.S.- Korha,
District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 08-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Korha
P.S. Case No. 307 of 2021 registered for the offence under
Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 16.08.2021.

The allegation against the petitioner is to commit
robbery, while committing so taken away motorcycle bearing
Registration No. BR11AR-8709 of black colour, job card and
cash of Rs. 3400/-, belongs to informant, which was kept in the
dickey of motorcycle.



Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of suspicion in present case, for the reason that the motorcycle, which is the subject matter of the present case, was alleged to be recovered in another case for which Korha P.S. Case No. 360 of 2021 was lodged making this petitioner accused, where he has already been granted bail. It is further submitted that beside this case petitioner also involved in one more criminal case, where he is on bail. While concluding the argument, it has been submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as no recovery was made in present case from the possession of this petitioner coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Korha P.S. Case No. 307 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar/concerned Court, subject to the conditions as mentioned:



“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) That accused/petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(iii) That one of the bailors shall be deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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