

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45395 of 2022

Arising Out of PS. Case No.-71 Year-2022 Thana- JALALGARH District- Purnia

MD. MURTAZA Son of Md. Manzoor Resident of Village - Adharng, P.S.-
Jalalgarh, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar,Advocate

For the Opposite Party/s : Mr.Mukesh Kumar Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-11-2022 Learned counsel for the petitioner is permitted to
remove the defect (s), as pointed out by the office, if any, within
a period of four weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
379,411/34 of IPC.

Two Water Pumping Machines of the informant are
said to have been stolen.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent. He has falsely been implicated
in the present case on the basis of confessional statement of co-
accused namely, Md. Mazhar. Further submits that no



incriminating article has been recovered from possession of the petitioner and on the basis of the suspicion, the name of the petitioner has falsely been implicated in the present case.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Jalalgarh P.S. Case No. 71 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(2) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

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

