

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54806 of 2021

Arising Out of PS. Case No.-117 Year-2021 Thana- BHANGWANPUR HAT District- Siwan

Irfan Khan @ Efan Khan S/O Munna Khan R/O Village- Lahallad Pur, P.S.-
Janta Bazar, District- Saran At Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 31-03-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Bhagwanpur Hat P.S.Case No. 117 of 2021 for the offences
punishable under Sections 379 and 411 of the Indian Penal Code.

As per prosecution case, informant is labourer,
working in the rice mill of Baban Tiwari in Dhodhpur. At about
2 a.m, he woke up and found that this petitioner was fleeing
away with his mobile phone.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case only on
account of some dispute with regard to wages of the petitioner.



Petitioner has got no criminal antecedent and he is rotting in jail since 14.06.2021 and charge sheet has already been submitted. Further submits that only three mobile phones have been recovered from possession of the petitioner.

The learned A.P.P opposed the prayer for bail of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that petitioner is in custody since 14.06.2021, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Bhagwanpur Hat P.S.Case No.117 of 2021 on the following conditions;

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

(ii) 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”

(Harish Kumar, J)

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