

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55372 of 2021

Arising Out of PS. Case No.-52 Year-2021 Thana- KORHA District- Katihar

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AUL ABBAS S/o Aul Tarni R/o- Dokni, Sahapur, P.S.- Aaska, District-
Ganjam (Orisa)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-01-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Korha
P.S.Case No.52 of 2021 registered for the offence under Section
392 of the Indian Penal Code.

The prosecution case, in short, is that on 05.02.2021
the informant came at Gerabari with her sister and withdrawn
Rs.15000/- from the Bank of Baroda. She had Rs.65,000/- prior
to withdraw the Rupees 15,000/- from the Bank. Then she
proceeded to the shop of sand and brick to purchase the same. In
the meantime, in the way, two persons on a motorcycle came



there and a person, who was sitting behind the motorcycle, snatched the bag of Rs.80,000/- from her hand who did not left the bag of rupees and fell down and became unconscious. In the meantime the local persons apprehended a person namely Aul Abbas with motorcycle, the person who snatched the bag of rupees succeed to flee away from the place of occurrence. The apprehended person disclosed the name of fled person as Nonti Das. Then after the apprehended person was handed over to local police.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the petitioner was apprehended by the local public only on the basis of suspicion. He further submits that nothing has been recovered from the possession of the petitioner. Petitioner is in custody since 06.02.2021.

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

Considering the aforesaid facts and period of custody, let the petitioner, above named, 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 Chief



Judicial Magistrate, Katihar in connection with Korha P.S. Case No.52 of 2021 with the 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

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 antecedent, 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)

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