

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56658 of 2021

Arising Out of PS. Case No.-73 Year-2020 Thana- NARPATGANJ District- Araria

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LALO @ LALUWA @ MUSTQUEEM SON OF MD. MOKIM MIAN @
MD. MOKIM R/O VILLAGE- LALPUR GOTH, WARD NO. 14, P.S.-
BIRPUR, DIST.- SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-01-2022 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 through video conferencing.

The petitioner seeks bail in connection with Narpatganj (Ghurna) P.S. Case No. 73 of 2020 registered for the offence under Sections 394 of the Indian Penal Code.

The motorcycle of the informant is said to have been snatched on the point of pistol.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. In fact, nothing has been recovered



from the conscious possession of the petitioner. He further submits that the petitioner happens to be two wheeler mechanic and he runs his workshop for his livelihood near the Birpur police station on footpath and for that reason the police has falsely implicated him in more than dozen of cases. The petitioner has no concern with the alleged motorcycle. The police after investigation has submitted charge sheet against the petitioner. The petitioner is rotting in judicial custody since 18.08.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries thirteen cases other than the present one.

Considering the facts and circumstances of the case and period of custody, let the, above named, petitioner 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 A.C.J.M.-VI, Araria in connection with Narpatganj (Ghurna) P.S. Case No. 73 of 2020 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 canceled 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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