

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57297 of 2021

Arising Out of PS. Case No.-76 Year-2021 Thana- BALIA BELON District- Katihar

1. MD. ALI RAZA @ ALI RAZA S/O Jamil Akhatar Resident of Village - Ratanpur, P.S. Balia Belon, Dist. - Katihar.
2. Md. Shakim S/o Teymur Alam Resident of Village - Ratanpur, P.S. Balia Belon, Dist. - Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-02-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State in virtual court proceeding.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Balia Belong P.S. Case No. 76 of 2021 registered for the offences punishable under Section 392 of the IPC.

The FIR of the occurrence of loot is against unknown.

Learned counsel for the petitioners submits that petitioners have clean antecedent and have falsely been



implicated in the present case. Petitioners are not named in the FIR. Name of the petitioners has been transpired on the basis of confessional statement of co-accused Md. Azam Ansari. He further submits that nothing has been recovered from possession of the petitioners and till today petitioners have not been put on TIP. Petitioners are in custody since 18.07.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Balia Belon P.S. Case No. 76 of 2021, subject to the following conditions:-

1. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the



prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

shahzad/-

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

