

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58880 of 2021**

Arising Out of PS. Case No.-18 Year-2020 Thana- SAKRA District- Muzaffarpur

MD. TUFAIL Son of Md. Shamsay Alam Resident of Village - Keshopur  
Ward No.- 9, P.S.- Sakra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

3      26-09-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

Let the defect(s), if any, as pointed out by the  
office, be removed within four weeks.

The case is registered under section 392 of the  
Indian Penal Code, in connection with Sakra P.S. Case No. 18  
of 2020.

The allegation in the FIR is of looting of the petrol  
pump of Rs. 1,40,000/- whereafter the accused persons fled  
away.

The FIR was lodged against unknown and after  
investigation, one Rajeev Kumar was arrested and on his  
confession, this petitioner's name has come up.

In this case, case diary was called for which has



been received.

Learned counsel for the petitioner submits that although he is in custody since 12.4.2021, no T.I. Parade has been conducted nor anything has been recovered from the conscious possession of the petitioner and his name has come up in the confessional statement of one Rajeev Kumar who has since been granted bail vide Cr. Misc. No. 49285 of 2021 on 18.4.2022 by a coordinate bench of this Court. However, he concedes that he has criminal antecedent.

Learned APP on the other hand on the basis of case diary submits that on the basis of confessional statement of Rajeev Kumar, his name has come and he has also confessed his guilt in the matter.

Be that as it may, he is in custody since 12.4.2021, no T.I. Parade has been conducted, nothing has been recovered from his conscious possession, charge-sheet stands submitted and one of the co-accused has since been granted the privilege of bail as narrated above, this Court is inclined to grant him the privilege of bail subject to strict conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of A.C.J.M.-12th,



Muzaffarpur, in connection with Sakra P.S. Case No. 18 of 2020 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty



to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Ravi/Ajay Singh

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

