

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58581 of 2021**

Arising Out of PS. Case No.-116 Year-2021 Thana- MADHUBANI TOWN District-
Madhubani

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MD.AKIL @ AKIL S/o Md. Khurshid Resident of Village- Chakdah, P.S.-
Raj Nagar, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Adv.
For the Opposite Party/s : Mr. S.K. Tiwari, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 03-02-2022 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
Madhubani Town P.S. Case No. 116 of 2021 registered for the
offence under Sections 414, 413, 401 and 34 of the Indian
Penal Code.

The petitioner is said to have been apprehended by
the police with stolen motorcycle.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is



innocent and has falsely been implicated in this case. He further submits that it is apparent from the F.I.R. itself that the alleged motorcycle has been recovered from the possession of the co-accused, Md. Abbas Mansoori and Ed. Mohammad. The petitioner has no concern with the alleged motorcycle and the co-accused. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is rotting in judicial custody since 10.04.2021.

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

Considering the facts and circumstances of the case, 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 Chief Judicial Magistrate, Madhubani in connection with Madhubani Town P.S. Case No. 116 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 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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