

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50494 of 2022

Arising Out of PS. Case No.-382 Year-2021 Thana- KORHA District- Katihar

MD. SAHIL Son of Shekh Manjur Alam @ Manjur Alam Resident of Village-
Pawai, Police Station - Korha, District - katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah,Advocate

For the Opposite Party/s : Mr.Nirmal Kumar Sinha,Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

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

The petitioner is an accused in connection with
Sessions Trial No. 343 of 2021 (CIS No. 343/2021) arising out
of Korha P.S. Case No. 382 of 2021 under Sections 414, 411,
413 and 34 of the Indian Penal Code and Section 25(1-
AA)26/35 of Arms Act.

As per the F.I.R., the police received information that
one, Tinku Kumar deals with the sale of theft vehicles.
Accordingly, the house of Tinku Kumar was raided and on



search, a country-made pistol and three motorcycles were recovered. He was arrested and on his disclosure the name of the petitioner cropped up and accordingly, he was also taken into custody and is in jail since 29.10.2021 (as stated in the paragraph-15 of the bail application).

Learned counsel for the petitioner submits that he has been implicated in this case only because of criminal antecedent. He has been named by Tinku Kumar in his confessional statement who in turn has already been granted bail by a Co-ordinate Bench of this Court vide Cr. Misc. No. 17092 of 2022 on 19.07.2022.

Taking into account the aforesaid facts that the said Tinku Kumar has been granted the privilege of bail, as stated above, charge sheet stands submitted and he is in custody since 29.10.2021, this Court is inclined to grant him privilege of bail.

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 learned ADJ-II, Katihar in connection with Sessions Trial No. 343 of 2021(CIS No. 343 of 2021) arising out of Korha P.S. Case No. 382 of 2021, subject to the following conditions.

(i) one of the bailor should be the family member 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 reason will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall leave the district (Katihar) for a period of one month(s) after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station concerned (where he will stay) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight for the next six months to mark attendance;

(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)

Jagdish/Neha/-

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