

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61958 of 2021

Arising Out of PS. Case No.-84 Year-2020 Thana- BIHAR District- Nalanda

MD. MUJJU SON OF MD. NEHAL RESIDENT OF MOHALLA-
MEERDAD, P.S.- BIHAR, DISTRICT- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Majid Mahboob Khan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-04-2022 Heard learned counsel for the parties.

The petitioner is an accused in connection with Bihar P.S. Case No. 84/2020 under Sections 379 and 411 of the Indian Penal Code.

As per the prosecution story, the informant alleged that his three buffaloes who were in the field suddenly fled away to the village Patuana where it is further alleged that the accused persons stole his buffaloes. The name of the petitioner came up in course of investigation.

Learned counsel for the petitioner submits that buffaloes had already been recovered and handed over to the informant. He further submits that he was not been named in the F.I.R. lastly submits that he is in jail since 03.08.2021.

Taking into the aforesaid facts as also charge-sheet



has been submitted in the matter, this Court is inclined to grant privilege of bail to the petitioner as stated in paragraph 3 of the bail application that he has no criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount is to the satisfaction of learned Incharge, C.J.M., Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 84/2020, subject to the following condition;

(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 reasons will entail his cancellation of bail by the Trial Court itself and also Court below shall check the criminal antecedent of the petitioner and if it is found that he does have criminal antecedent, the bail hereby granted to him shall automatically be cancelled.

(iii) 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;



The bail application is allowed with the aforesaid observation.

(Rajiv Roy, J)

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