

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62801 of 2021**

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

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SHAHBAZ ANSARI @ SABAZ S/o Chirag Alam @ Chiram Alam R/o
village- Mariya Shihpur, P.S.- Balia Belon, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Rahmatullah, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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

2 01-04-2022 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.

The petitioner seeks bail in a case registered for

the offence under Sections 392 of the Indian Penal Code.

The FIR of the occurrence of loot is against

unknown.

Learned counsel for the petitioner submits that

petitioner has clean antecedent and has falsely been

implicated in the present case. Petitioner is not named in the

FIR. Name of the petitioner has been transpired in this case



on the basis of confessional statement of co-accused Md. Azam Ansari. He further submits that nothing has been recovered from the possession of the petitioner and till date petitioner has not been put on TIP. Petitioner is in custody since 18.07.2021. Moreover, the co-accused, Md. Ali Raza @ Ali Raza has already been granted bail by this Court vide order dated 01.02.2022 passed in Cr. Misc. No. 57297 of 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 Court below where the case is pending in connection with Belon P.S. Case No. 76 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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