

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63142 of 2021

Arising Out of PS. Case No.-119 Year-2020 Thana- NARPATGANJ District- Araria

LALOO @ LALUWA @ MUSTAQUEEM S/O MD. MOKIM MIAN @ MD.
MOKIM R/o village- Lalpur Goth, Ward No. 14, P.S.- Birpur, District- Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 29-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in a case registered for the
offences under Section 392 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 18.08.2020 and has antecedent of
13 cases and charge-sheet has been submitted and the informant
alleges that he was intercepted by three unknown criminals on a
motorcycle, who looted the informant at the point of gun and
dagger of the articles, detailed in the FIR.

The learned counsel submits that FIR was against
unknown and the petitioner has been falsely implicated based on
his antecedent as no TI Parade was conducted, but it is alleged
during the course of investigation that the police caught this



petitioner identified by the informant through his photograph. The learned counsel submits that it absolutely does not stand to reason that when petitioner was in custody where was the occasion for the police to get him identified through his photograph. It is thus submitted that since petitioner is having antecedent, as such the police devised a way to get him implicated in the present case.

The learned APP vehemently opposes the prayer for bail and submits that the petitioner has antecedent of 13 cases, at this state, the learned counsel for the petitioner seeks permission to withdraw this bail application with liberty to renew his prayer for bail after framing of charge.

Permission is accorded.

In view of the submission made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail **after framing of charge**, on his furnishing bail-bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Narpatganj (Ghurana) P.S. Case No. 119 of 2020 with condition that one of the bailor shall be the father of the petitioner (Md. Mokin Mian @ Md. Mokin).



Further, the petitioner will have to appear on each and every date fixed by the trial Court and in the event if the petitioner on any date fixed after his release in the trial does not appear without any plausible explanation, the learned Court below shall forthwith cancel his bail-bond.

The application stands allowed.

(Satyavrat Verma, J)

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