

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63461 of 2021**

Arising Out of PS. Case No.-55 Year-2021 Thana- GOPALPUR District- West Champaran

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NASRUDDIN ALAM S/o Sheikh Baharul R/o village- Jhumka, P.S.- Sikta,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-04-2022 Heard the parties through video conferencing.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 28.06.2021, seeks
regular bail in connection with Gopalpur P.S. Case No. 55 of
2021 registered for offences punishable under Section 394 of the
Indian Penal Code.

Prosecution story in brief is that on 25.04.2021 at
about 21.30 hours, three persons came on motorcycle at the door
of Ashok Kumar Jaiswal, who is the brother-in-law of vehicle
owner namely Gopal Prasad Jaiswal. Out of those three persons,
one was looking like a saint, wearing saffron colour cloth and
rest of the two persons were wearing blue colour jeans. It is
alleged that all the three accused persons had assaulted the



informant and tied him by scarf and snatched Rs. 50,000/-, Driving License, Aadhar Card, one black colour mobile and key of vehicle from the pocket of the informant.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Petitioner is not named in the FIR. Nothing has been recovered from the possession of the petitioner. Name of the petitioner has surfaced on the basis of confessional statement of one co-accused Jafir Miya @ Jakir Miya. Petitioner has not been put on T.I.P. He is in custody since 28.06.2021.

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

Considering the facts and circumstances of the case, nature of allegation made in the F.I.R. as well as the period of custody undergone by the petitioner, the Court below is directed to release the petitioner above named on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Bettiah, West Champaran in connection with Gopalpur P.S. Case No. 55 of 2021 subject to the following conditions:



(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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