

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64219 of 2021

Arising Out of PS. Case No.-286 Year-2020 Thana- TEGHRHA District- Begusarai

MD. NADEEM Son of Md. Nayeem @ Md. Naim Resident of Mohalla -
Gudri Bazar, Chak Lokman, P.S. - Dalsing Sarai, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 27-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Teghra
P.S. Case No. 286 of 2020 registered for the offence under
Section 395 of Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 05.03.2021.

The allegation against the petitioner is to commit
Dacoity along with other co-accused persons and while
committing *Dacoity*, taken away valuable jewelery and cash of
Rupees 1,10,000/-, etc. from the shop of informant.

Learned counsel appearing on behalf of the petitioner



submitted that name of the petitioner surfaced on the basis of confessional statement of co-accused Saurabh Kumar leading no recovery, which may incriminate or connect the petitioner with the present set of occurrence. It has further been submitted that similarly situated co-accused person has been granted bail by one of the learned co-ordinate Bench vide order dated 30.09.2021 in Cr. Misc. No. 27122 of 2021. While concluding the argument, it has been submitted that charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that name of the petitioner surfaced on the basis of confessional statement of the co-accused.

Considering the facts and circumstances as mentioned above, as name of the petitioner surfaced on the basis of confessional statement, leading no recovery, which may connect the petitioner with the present set of occurrence coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Teghra P. S. Case No. 286 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate, Begusarai subject to the following conditions:

“(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be Md. Nayeem @ Md. Naim, who is the father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S.Sen/-

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