

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.54118 of 2022**

Arising Out of PS. Case No.-177 Year-2022 Thana- KORHA District- Katihar

Md. Masood Alam @ Masood Alam @ Masud Alam S/O Abrar Alam @
Abrarul Hak, Resident of Fuldovi, P.S.- Falka, District- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-12-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by the Stamp Reporter
within two weeks.

Heard learned counsel for the petitioner and Mr. Atul
Chandra, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Korha P.S. Case No. 177 of 2022 registered
for the offences punishable under Section 392 of the Indian
Penal Code. He is in custody since 07.05.2022. He has no
criminal antecedent.

Learned counsel for the petitioner submits that as per
the prosecution story, On 21.02.2022 the informant who is
posted as R.O. in Bandhan Bank went for collection on his
Glamour motorcycle with his associate and collected
Rs.1,25,875/- from different groups. When both of them reached



near Mawaia main road, four persons on two motorcycles stopped them and on the point of pistol looted away all the money.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the petitioner is not named in the FIR and he has yet not been put on test identification parade. Learned counsel further submits that the petitioner is in custody since 07.05.2022 having no criminal antecedent.

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

Having regard to the facts and circumstances of the case wherein this petitioner is not named in the FIR, he has no criminal antecedent and he has not been put on test identification parade, he is in custody since 07.05.2022 and his presence may be secured in course of trial, investigation against him is complete and his presence may be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Ms. Kiran Kumari, learned J.M., 1st Class, Katihar in connection with Korha P.S. Case No. 177 of



2022, subject to the condition as laid down under Section 437
(3) Cr.P.C.

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.

The application stands allowed.

Certified copy of this order shall be made available
only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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