

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64791 of 2021**

Arising Out of PS. Case No.-169 Year-2021 Thana- KORHA District- Katihar

MD.NAWED @ NAWHEAD ALAM Son of Md. Mofiz @ Shekh Mofeej
Resident of Village- Kheriya, P.S.- Korha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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

2 08-04-2022 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 414 of the Indian Penal Code.

The case relates to recovery of one motorcycle
without registration number.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. In fact, the petitioner has been made
accused in this case merely on the basis of disclosure made
by the co-accused, Md. Umar Farukh and except that
disclosure, nothing is on record against the petitioner.
Nothing has been recovered from the possession of the



petitioner. No T.I.P. has been conducted as yet by the prosecution. The petitioner is rotting in judicial custody since 09.04.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries six more cases other than the present one.

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 Korha P.S. Case No. 169 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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