

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56555 of 2022

Arising Out of PS. Case No.-343 Year-2020 Thana- BAHADURGANJ District- Kishanganj

NURSID @ NURSAD @ NURSED Son of Hafizuddin @ Bali Resident of
Village - Domohani, P.S.- Rauta, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar,Advocate

For the Opposite Party/s : Mr.Surendra Kumar,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is an accused in connection with
Bahadurganj P.S. Case No. 343 of 2020 under Section 395 of
the Indian Penal Code.

As per the FIR, the unknown accused persons entered
into the house of the informant as also some other villagers and
committed '*dacoity*'. They were in the age group of 20-25 years
and were covering their faces.

Learned counsel for the petitioner submits that
although he has been arrested and is in custody, neither any



T.I.Parade has been held nor anything has been recovered from his conscious possession. The name of the petitioner has come in the confessional statement of co-accused, Sarwar @ Sarwar Alam.

It is his further submission that some of the accused persons have since been released on bail which are part of the record as annexure 2 series. This also includes co-accused Sarwar @ Sarwar Alam, who has been released on bail vide Cr. Misc. No. 47756 of 2021 on 22.01.2022.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Taking into account the fact that he has been implicated in this case on the basis of confessional statement of Sarwar @ Sarwar Alam, who has since been released on bail as narrated above, is in custody since 23.12.2021 (as stated in paragraph-1 of the bail application), charge sheet stands submitted, this Court is inclined to grant him privilege of bail with conditions in view of the fact that he has criminal cases under his belt all of similar nature.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial



Magistrate, Kishanganj in connection with Bahadurganj P.S.
Case No. 343 of 2020, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall leave the district (Purnea) for a period of three month(s) after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station (of his residence) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight for the next six months;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty



to take steps for cancellation of his bail bonds.

(vii) If he indulges in any crime in future of similar nature, his bail bond shall immediately be cancelled.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha/-

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