

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65486 of 2021

Arising Out of PS. Case No.-25 Year-2020 Thana- GADHPURA District- Begusarai

MD. RASHID Son of Md. Razzak @ Mohammad Rajjak Resident of Village-
Belahi, Ward No.14, P.S.- Bithan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State in virtual Court proceeding.

Petitioner seeks bail in a case registered for the offences punishable under Section 392 of the Indian Penal Code.

According to the prosecution case, informant(Manzoor Alam) on 17.03.2020 going to Garhpura Branch for depositing cash of Rs.1,33,700/-,three miscreants on motorcycle stopped him and snatched his cash by threatening with pistol and fled away.

Learned counsel appearing for the petitioner submits



that the petitioner is not named in the FIR. He has falsely been implicated in the present case only on the basis of confessional statement of co-accused, namely, Ajay Thakur. He further submits that nothing has been recovered from possession of the petitioner and till date no T.I. Parade has been conducted by the prosecution and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 16.06.2021.

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

Considering the facts and circumstances of the case, let the petitioner, above named, 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 Garhpura P. S Case No. 25 of 2020, 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 cancelled 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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