

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68194 of 2021

Arising Out of PS. Case No.-59 Year-2021 Thana- JAMOBABAZAR District- Siwan

SOBRATI MIAN @ MUNNA MIAN Son of Late Multan Mian Resident of
Village - Patauwan, Police Station - Darauli, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-04-2022 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 the learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence under Sections 364, 34 and 504 of the Indian Penal Code.

The husband of the informant is said to have been kidnapped by the petitioner and others.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that it is apparent from the F.I.R. itself that the one Azad Alam has taken away the husband of the informant and this petitioner has not played any role in the



alleged occurrence. He further submits that no cogent material has come during course of investigation against the petitioner but the petitioner has been apprehended in this case only on the basis of his criminal antecedents as well as suspicion. He further submits that the similarly situated the co-accused, namely, Firoz Ahmad and Azad Alam have already been granted bail by this Court vide order dated 04.04.2022 passed in Cr. Misc. No. 53693 of 2021 and Cr. Misc. No. 53098 of 2021, respectively. The petitioner is rotting in judicial custody since 17.05.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries ten 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 Jamo Bazar P.S. Case No. 59 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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