

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69945 of 2021**

Arising Out of PS. Case No.-343 Year-2021 Thana- JOKIHAT District- Araria

MD. BELAL @ BELAL Son of Md. Salim Ansari @ Salim Resident of
Village- Araria Bairgachhi Momin Tola, P.S.- Bairgachhi (O.P.), District-
Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 17-05-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Jokihat P.S. Case No. 343 of 2021 for the offence punishable
under Sections 379 and 411 of the Indian Penal Code.

The allegation is of commission of theft of the Royal
Enfield motorcycle of the informant bearing registration no.
BR38Q2269. F.I.R. of the occurrence of theft is against



unknown.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has been implicated in a false case. The F.I.R. is against unknown. Petitioner has been made accused in the present case on the basis of his confessional statement recorded in the police custody which has no evidentiary value in the eye of law. Petitioner has made specific statement in Para-10 of his bail application that the alleged stolen motorcycle has been recovered from a canal. Petitioner is in custody since 06.09.2021.

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

Considering the aforementioned facts and circumstances of the case and the period of custody already undergone by the petitioner, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Jokihat P.S. Case No. 343 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(6) The petitioner will make his attendance before the concerned police station under which his house is located every fortnightly till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the police station shall submit his monthly attendance report to the Superintendent of Police



having jurisdiction.

(Purnendu Singh, J)

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