

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.762 of 2022

Arising Out of PS. Case No.-168 Year-2020 Thana- RAHIKA District- Madhubani

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ALAMGIR @ MD. ALAMGIR Son of Dukha Mansuri @ Tahir, Resident of
Village- Ekdandi, P.S.- Parihar, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 31-05-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Rahika P.S. Case No. 168 of 2020 registered for offence
punishable under section 379 of the Indian Penal Code.

As per allegation, some unknown persons had
committed theft of tractor of the informant.

The learned counsel for the petitioner has submitted
that co-accused Abhishek Kumar Singh from whose house the
theft tractor was recovered, has been granted bail. He has



submitted further that after filing of this bail petition, the police implicated the petitioner in another case, i.e. Parihar P.S. Case No. 10/2020 registered under section 379 of the Indian Penal Code. He has also submitted that the name of the petitioner figured in the confessional statement of co-accused Jitu Khatbe and the petitioner is under custody since 17.06.2021.

Considering the facts and circumstances, the petitioner above-named is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Madhubani in connection with Rahika P.S. Case No. 168 of 2020, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(iii) The trial Court shall accept the bail bond



after verifying the criminal antecedent of the petitioner and if it is found that the petitioner has been implicated in any other case except the case mentioned in paragraph no. 3 of this bail petition as Parihar P.S. Case No. 10/2020, the learned court below shall not accept the bail bond.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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