

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1642 of 2022**

Arising Out of PS. Case No.-67 Year-2021 Thana- SHASTRINAGAR District- Patna

MD. EMAMUDDIN @ SONU Son of Md. Mazid Hussain @ Md. Masjid  
Hussain R/o Anisabad, Police Colony, P.S.- Phulwari Sharif, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Sanjiv Sharan, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      16-06-2022              Learned counsel for the petitioner undertakes to  
remove all the defects as pointed out by office within four  
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md.  
Fahimuddin, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail  
in connection with Shastri Nagar P.S. Case No. 67 of 2021  
registered for the offences punishable under Section 392 of the  
Indian Penal Code. He is in custody since 05.04.2021 having  
three criminal antecedents as stated in paragraph '3' of the  
application.

Learned counsel for the petitioner submits that the  
informant in his written report alleged that while he was  
returning to his house near Patna Zoo at about 11:00 P.M. his



motorcycle was dashed by a motorcycle on which three boys were riding and they snatched his purse, mobile and motorcycle bearing no. BR01DH-2997 on the point of pistol and they fled away.

Learned counsel for the petitioner submits that name of petitioner has transpired in the statement of co-accused Vivek Kumar and this petitioner has been remanded in this case on 22.04.2021. Learned counsel further submits that the petitioner has been falsely implicated in this case, till date he has not been put on Test Identification Parade and he is a student of Intermediate. It is further submitted that the co-accused Vikash Kumar Gupta has been granted bail by a learned coordinate Bench of this Court in Cr. Misc. No. 68994/2021.

Learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case, there being no identification of the petitioner, he is in custody in connection with this case over one year, investigation against him is complete and his presence may be secured in course of trial, therefore, this court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of



learned Sub-Judge – IV – cum A.C.J.M.-IV, Patna in connection with Shastri Nagar P.S. Case No. 67 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

**(Rajeev Ranjan Prasad, J.)**

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

