

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4169 of 2023

Arising Out of PS. Case No.-188 Year-2022 Thana- SINGHWARA District- Darbhanga

MD. JAVED SHAIKH @ MD. IBRAHIM SHAIKH SON OF MD. ISRAFIL SHAIKH, R/O VILLAGE- NIMRAULI, P.S.- KAMTAUL, DISTRICT- DARBHANGA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Iqbal Asif Niazi, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 26-04-2023 Heard the learned counsel for the petitioner as well as Mr. Shailendra Kumar, the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with Singhwara P.S. Case No. 188 of 2022, registered for offence punishable under section 379 of the Indian Penal Code.

The petitioner is under custody since 28.09.2022 for the allegation that he has committed theft of *Scooty* of the informant.

The learned counsel for the petitioner has submitted that except confessional statement of co-accused, there is nothing against the petitioner in the entire case diary.

On the other hand, Mr. Shailendra Kumar, the learned APP has opposed the prayer for bail.



Considering the above-mentioned facts and circumstances as well as the period of custody, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Darbhanga in connection with Singhwara P.S. Case No.188 of 2022, 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.

(Nawneet Kumar Pandey, J)

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