

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15103 of 2023**

Arising Out of PS. Case No.-18 Year-2020 Thana- TARABARI District- Araria

MD. SHAFIQUE @ SHAFIQUE @ GUDDU Son of Md. Raquib @ Md. Rakib R/V- Bagesri @ Bageshwari P.S- Jokihat, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Choubey, Adv.
For the Opposite Party/s : Mr. Nirmala Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 10-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Session trial no. 344/2021 with Tarabari P.S. Case No. 18 of 2020 dated 03.03.2020 registered for the offences punishable u/s 392 of the Indian Penal Code.

As per the prosecution case, three miscreants boarded on motorcycle intercepted the motorcycle of the informant and snatched the bag containing Rs. 1,59,833/-, a mobile and the key



of the informant's motorcycle.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up on the basis of self-confessional statement. Similarly situated co-accused has already been granted bail by the co-ordinate bench *vide* order dated 31.01.2022 passed in Cr. Misc. No. 29524 of 2021. The petitioner is also accused in fourteen other criminal cases and out of which he is on bail in four cases as stated in para 3 of the bail petition. There is nothing against the petitioner except criminal antecedent. The petitioner is in custody since 20.10.2020.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria in connection with Session trial no. 344 of 2021 with Tarabari P.S. Case No. 18 of 2020 with the



condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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