

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16486 of 2023

Arising Out of PS. Case No.-255 Year-2019 Thana- BARAULI District- Gopalganj

Md. Irfan @ Irfan Ali @ Irfan Alam Son Of Md. Asad @ Azad Miyan R/O
Village- Parauli, P.S.- Basantpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Kumari Anupam, Advocate
For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-05-2023 Heard Mr. Yogesh Chandra Verma, learned senior
counsel appearing for the petitioner and the learned A.P.P. for
the State.

The petitioner seeks bail, who is in custody since
25.11.2021 in connection with Barauli P.S. Case No. 255 of
2019, F.I.R. dated 17.07.2019 registered for the offence
punishable under Section 392 of IPC.

The FIR of the occurrence of robbery is against
unknown.

Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. Further submits that the petitioner is not named
in the FIR. The name of the petitioner has been transpired



during investigation on the basis of the self-confessional statement of the petitioner. Further submits that nothing has been recovered from conscious possession of the petitioner and the co-accused, namely, Antu Kumar Singh has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 10.07.2020 passed in Cr. Misc. No.22009 of 2020 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 25.11.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries five more cases other than the present one.

Considering the aforesaid facts and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Gopalganj in connection with Barauli P.S. Case No. 255 of 2019, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(3) 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.

(Rajesh Kumar Verma, J)

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