

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22100 of 2023

Arising Out of PS. Case No.-336 Year-2021 Thana- JOKIHAT District- Araria

MD. KHUDDAM @ KHUDDAM Son of Akbal @ Md. Akbal Hussain
Resident of Kelabari, Ward No.-5, P.S.-Mahalgaon, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Kumar, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-04-2023 Heard the parties.

The petitioner is in judicial custody in connection with Jokihat (Mahalgaon) P.S. Case No.336 of 2021 registered under Sections 392, 411 of the Indian Penal Code.

Allegation against the petitioner who was arrested from the spot is that he along with his two associates intercepted the informant who was moving on his motorcycle and after taking him over, it is alleged that they snatched his Samsung mobile as also the purse and when they were trying to snatch his motorcycle; a police jeep arrived and the three accused persons started to flee away. Although two accused persons managed to escape, this petitioner was apprehended. It was in this way that he came in the judicial custody in connection with the present case.

Earlier the case was taken up and vide an order dated



12.05.2022, the same was rejected in Cr. Misc. No. 65330 of 2021.

Once again the present petition was filed.

Considering the fact that the petitioner is in custody since 14.07.2021 (as stated in para-21 of the petition) and ultimately he has to face the trial, this Court is inclined to extend him the privilege of bail, subject to certain conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Jokihat (Mahalgaon) P.S. Case No.336 of 2021 to the satisfaction of learned A.C.J.M., V, Araria, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

U		T	
---	--	---	--

