

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29437 of 2023

Arising Out of PS. Case No.-356 Year-2021 Thana- UCHKAGAON District- Gopalganj

Jaikky Ahamad @ Jaiki Ahmad @ Mirza Zaki Ahmad Son Of Noor
Mohammad @ Mirza Noor Mohammad Resident of Village - Madhopur, P.S.
- Barhariya, District - Siwan, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

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

3. The petitioner seeks regular bail in connection with
Uchkagaon P.S. Case No. 356 of 2021 dated 24.11.2021, lodged
under Section 394 of the I.P.C.

4. As per the prosecution case, the F.I.R. has been
lodged against three unknown persons alleging that they have
committed robbery in connivance with each other near
Vrindawan Restaurant on a bike bearing Registration No. BR-
28J 9180.

5. Learned counsel for the petitioner submits that the

petitioner is innocent and has committed no offence. He further submits that the F.I.R. has been lodged against unknown accused persons and the name of petitioner has come on the basis of confessional statement of co-accused, namely, Rajnish Kumar Giri. Counsel further submits that the said Ranjnish Kumar Giri was granted bail by the Trial Court itself. He further submits that the other co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 01.08.2022 passed in Cr. Misc. No. 16344 of 2022 (Annexure-2). Counsel further submits that there are three antecedents of the petitioner in which he is on bail. Counsel submits that petitioner is in custody since 24.01.2023 in which charge-sheet has already been filed.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Gopalganj in connection with Uchkagaon P.S. Case No. 356 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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