

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30675 of 2022

Arising Out of PS. Case No.-194 Year-2021 Thana- BISFI District- Madhubani

MD. PARVEJ AHMAD Son of Md. Usman Resident of village - Dadari, P.S.-
Nanpur, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Section 394 of the Indian Penal Code
and Section 27 of the Arms Act.

According to prosecution case, the petitioner and other
co-accused persons, looted on gun point, from the informant Rs.
1 lakh which he has withdrawn from the Bank. While the
petitioner and other public persons chased the culprits, they
fired upon the informant but the informant was luckily saved.
The petitioner and two co-accused persons were apprehended



after chase and Rs. 1 lakh was also recovered.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that as per allegation the petitioner and other co-accused persons has snatched the bag of the informant containing Rs.1 lac. He further submits that the recovery has been made from the joint house of the petitioner. He further submits that similarly situated, co-accused, namely, Md. Gulab has been granted bail by a Co-ordinate Bench of this Court vide order dated 22.07.2022 passed in Cr. Misc. No. 16914 of 2022. The petitioner is in custody since 14.08.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances as well as 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 the learned Court below where the case is pending in connection with Bisfi P.S. Case No.194 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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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