

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38491 of 2023

Arising Out of PS. Case No.-221 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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SADDAM HUSSAIN Son of Khedu Mian @ Khedu Miya Resident of village
- Jagdamba Nagar, Baswariya Ward No.- 29, Dhuniyapatti, P.S.- Bettiah
Town, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection
with Bettiah Town P.S. Case No.221 of 2022 instituted under
Section 411 of the Indian Penal Code lodged on 26.03.2022 by
the informant Anamika Sharma.

As per the FIR, the informant alleged on 26.03.2022
while she was on way to her hostel and on getting down from
the Train at Bettiah Railway Station and was near the hostel on
the point of knife her purse, mobile bearing its SIM
No.9875479773, Tab and other articles was snatched by the
unknown persons. Accordingly, the FIR.

The contention of the learned counsel for the
petitioner is that although he was taken into custody, there has



not been any TI parade and even the articles that police claims to have recovered does not match with the allegation made in the FIR. The last submission is that he is in custody since 29.03.2023 (as stated in para-11 of the petition).

Learned APP opposes the prayer for bail.

Considering the fact that the petitioner has remained in custody since 29.03.2023 and no TI parade has been done, this Court is inclined to grant him privilege of bail.

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 Bettiah Town P.S. Case No.221 of 2022 to the satisfaction of learned Judicial Magistrate, Ist Class, Bettiah, West Champaran, 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

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