

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40713 of 2023

Arising Out of PS. Case No.-96 Year-2022 Thana- JOKIHAT District- Araria

NANHA @ SIBLI NOMANI @ SHIBLI Son of Late Sarwar Alam R/o
village - Bagdahara, Ward No.- 07, P.S.- Jokihat, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is an accused in connection with
Jokihat P.S. Case No. 96 of 2022 registered for the offences
under sections 392, 412 and 34 of the Indian Penal Code lodged
on 24.02.2022 by the informant, Narsingh Kumar.

As per the prosecution story, the accused persons
dragged the driver out of the vehicle and took the same.
However, using the GPS system, the pickup van was intercepted
and one Wasim was arrested. Accordingly, the FIR.

Learned Counsel for the petitioner submits that he has
not been apprehended on the spot and his name come in the
confessional statement of Washim. Further, he was not been put
on T.I.Parade and is in jail since 15.04.2023 (as stated in



paragraph 14 of the bail application).

His last submission is that some of the similar placed co-accuseds including Wasim have since been released on bail as contained in Annexure 2 series.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Considering the fact that his name has come in the confessional statement of Wasim, who has since been released on bail vide Cr. Misc. No. 30779 of 2022 by a co-ordinate bench of this Court, this Court is inclined to extend him the same privilege.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned C.J.M, Araria in connection with Jokihat P.S. Case No. 96 of 2022, subject to the 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 month for next one year 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 his 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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