

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48702 of 2023**

Arising Out of PS. Case No.-36 Year-2023 Thana- JOGBANI District- Araria

Md Guddu Alam @ Guddu Alam S/O Md. Razzak Alam R/O Village- Khajur  
Bari, Ward No. 06, P.S. Jogbani, Dist. Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajendra Prasad Sah, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      15-09-2023                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since  
09.02.2023 in connection with Jogbani P.S. Case No. 36 of  
2023, F.I.R. dated 08.02.2023 registered for the offence  
punishable under Section 392 of IPC but the police, after  
investigation, submitted chargesheet under Sections 392/411 of  
IPC.

3. The FIR of the occurrence of loot is against  
unknown.

4. Learned counsel appearing for the petitioner  
submits that the petitioner has clean antecedent and he has  
falsely been implicated in the present case merely on the basis  
of suspicion and he is full brother of co-accused, namely, Md.



Lal and the petitioner was apprehended from his house and co-accused person, namely, Md. Lal, who happens to be brother of the petitioner, who has escaped from the house of the petitioner and the petitioner was apprehended alongwith one stolen motorcycle and cash of Rs.16,800/- was recovered from the house of the petitioner/co-accused person, namely, Md. Lal and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 09.02.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, 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 learned Chief Judicial Magistrate, Araria in connection with Jogbani P.S. Case No. 36 of 2023, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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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