

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49768 of 2022

Arising Out of PS. Case No.-308 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

Noorshad Alias Don Alias Nurshed Alias Don Alias Noorshad Alam Son Of
Matiur Rahman, R/O Village- Pothimari, Jagir Ward No.-2, P.S.-
Kochadhaman, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 21-02-2023 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Kochadhaman P.S. Case No. 308 of 2021 lodged under Sections
461 and 379 of the I.P.C.

As per the prosecution, F.I.R. has been lodged against
unknown criminals. The allegation of theft of the instruments
kept in the office of panchayat is there in the F.I.R.

Learned counsel for the petitioner submits that the
petitioner is in custody since 26.03.2022 and the F.I.R. is against
unknown. The offence in which the F.I.R. has been lodged are



magisterial triable in nature. He further submits that only one thing which is against the petitioner that there are 16 criminal cases pending against him and out of 16 cases, in 2 cases he is on acquittal, in one case he is on bail and in rest cases he is persuading for bail. Counsel further submits that nothing was recovered from the possession of the petitioner nor he was put on T.I.P.

Learned counsel for the State opposes the prayer for bail.

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 Chief Judicial Magistrate, Kishanganj in connection with Kochadhaman P.S. Case No. 308 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 an 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.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ravishankar/-

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