

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52118 of 2023

Arising Out of PS. Case No.-269 Year-2021 Thana- BAJPATTI District- Sitamarhi

MD. JALALUDDIN @ MD. JALAL SON OF MD. MUSTAFA @
MUSTAFA ANSARI RESIDENT OF VILLAGE- MADARIPUR, PS-
BAJPATTI AND DISTT- 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.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Bajpatti P.S. Case No. 269 of 2021 for the offence punishable under Section 394 of the Indian Penal Code lodged on 7.9.2021 by the informant, Md. Anwar Ali.

As per the prosecution story, the allegation is that of snatching of motorcycle of the informant, followed by the FIR.

Learned counsel for the petitioner submits that his name has come in the confessional statement of Sidharth Kumar Sharma @ Siddhu who has since been granted bail vide Cr. Misc. No. 61451 of 2022.

It is his further submission that the petitioner is in custody since 3.6.2023 but neither any TIP has been done nor



any recovery was made from him.

Learned APP opposes the prayer stating that he has criminal antecedent.

Considering the aforesaid submission put forward by the learned counsel for the petitioner as also that similar placed co-accused, as stated above, has been granted bail by a coordinate bench, this Court is inclined to extend him the privilege of bail with conditions.

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 learned Judicial Magistrate-1st Class, Pupri at Sitamarhi, in connection with Bajpatti P.S. Case No. 269 of 2021 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 fortnight for next six months to mark his 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 his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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