

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53138 of 2023

Arising Out of PS. Case No.-112 Year-2023 Thana- EKMA District- Saran

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ARIF ALI S/O LATE SARIF MIYA R/O VILLAGE- PARSAGARH
BAZAR, PS. EKMA, DIST. SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nawnit Kumar Tiwary, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Ekma P.S. Case No.112 of 2023 instituted under Section 414,413 of the IPC lodged on 28.03.2023 by the informant Shankar Das.

As per the prosecution story, the police in course of patrolling intercepted a motorcycle. As no paper was produced, he was arrested and was searched. A knife and a Samsung mobile amongst other were recovered/seized. This followed the FIR.

It is the case of the petitioner that there is nothing on record to show that the motorcycle was stolen one and the police has implicated him in this case, he being a labourer was moving from that place and false implication attributing to that motorcycle has been made against him. The last submission is that he is in custody since 29.03.2023 (para-9 of the petition).



Learned APP opposes the prayer for bail stating that he has criminal antecedent of same nature.

Considering the submissions put forward by the learned counsel for the petitioner, he has remained in custody since 29.03.2023, is a young boy of 21 years, will be ultimately facing the trial, 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 Ekma P.S. Case No.112 of 2023 to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, 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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