

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54721 of 2023

Arising Out of PS. Case No.-52 Year-2022 Thana- RAJIVNAGAR District- Patna

MD. AASIF S/O MD SAUKAT ALI R/O VILLAGE/MOHALLA-
MAHENDRU, P.O- SHAHGANJ MOHALLA, P.S- SULTANGANJ, DISTT.-
PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-08-2023 Heard the parties.

The petitioner is an accused in connection with
Rajeev Nagar P.S. Case No. 52 of 2022 registered for the
offences under sections 454 and 380 of the Indian Penal Code
lodged on 06.02.2022 by the informant, Sanjay Kumar Singh.

As per the prosecution story, the informant alleges
that when he had gone to local market after locking of the flat,
upon return, saw the main gate broken, the ‘godrej almirah’
opened and ornaments as also cash missing. Accordingly, the
FIR.

Subsequently, during the investigation, the name of
the petitioner cropped up in the confessional statement of co-
accused as also there was recovery of the theft article.



It is the case of the petitioner that he has already suffered by being in custody since 05.12.2022 in another case from which he has been remanded on 27.01.2023.

Learned APP for the State, on the other hand, opposes the prayer for bail stating that he has criminal antecedent inasmuch as in eight criminal cases of same nature in the State capital, he is accused.

Considering the aforesaid submissions put forward as also that he is in custody since 05.12.2022, this Court is inclined to extend him privilege of bail but only after framing of the charges in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned A.C.J.M. IX, Patna in connection with Rajeev Nagar P.S. Case No. 52 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)

Neha/-

U		T	
---	--	---	--

