

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54990 of 2023

Arising Out of PS. Case No.-124 Year-2023 Thana- BIRPUR District- Supaul

MD. MONAJIM@MUNNA@MUNAJIM SON OF ABDUL GAFAR
RESIDENT OF VILLAGE- BAIRIYA KAMAL, PS- BIRPUR, DISTT-
SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-08-2023 Heard the parties.

The petitioner is in custody in connection with Birpur P.S. Case No. 124 of 2023 for the offence under section 379/411 of the Indian Penal Code lodged on 07.04.2023 by the informant, Anish Alam.

As per the prosecution story, the allegation is that while informant was having tea near a tea shop, the petitioner tried to taken away his motorcycle. On alarm, the public chased, caught him and the motorcycle was recovered. The Police came and took him away. Accordingly, the FIR.

Learned counsel for the petitioner submits that for the said misadventure, he has already suffered by being in custody since 08.04.2023 and do not have criminal antecedent.



Learned APP opposes the prayer for bail.

Considering the aforesaid submissions put forward by the learned counsel for the petitioner as also his period of custody i.e. 08.04.2023 and further, he do not have criminal antecedent, FIR lodged and ultimately will have to face the trial, 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) each with two sureties of like amount each to the satisfaction of learned A.C.J.M.-I, Birpur, Supaul, in connection with Birpur P.S. Case No. 124 of 2023 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/her 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 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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