

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57908 of 2023

Arising Out of PS. Case No.-644 Year-2022 Thana- JOKIHAT District- Araria

MD. ASIF REJA SON OF ABDUL RAHMAN RESIDENT OF VILLAGE
-BUDHESHWARI RAMPUR, WARD NO 6, PS- ARARIA (BAIRGACHHI
OP), DISTT- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection with Jokihat (Mahalgaon O.P) P.S. Case No. 644 of 2022 registered under Section 392 of the Indian Penal Code lodged on 23.12.2022 by the informant, Ilham @ Faize.

3. As per the prosecution story, the allegation is that on gun point, Rs. 4,50,000/- and some valuable gadgets were looted, this followed the FIR.

4. Learned counsel for the petitioner submits that name of the petitioner has come in the confessional statement of Md. Khalid whereafter he has been taken into custody since 05.04.2023 (as stated in paragraph-12 of the petition) but nothing has been recovered from his conscious possession and



further Md. Khalid been granted bail.

5. Learned APP opposes the prayer for bail.

6. Considering the aforesaid submissions put forward by the learned counsel for the petitioner, similar place accused as stated above and Md. Aarzu @ Md. Arju (Annexure -2 series) have since been extended the privilege of bail and is in custody since 05.04.2023, this Court is inclined to extend him the privilege of bail but only after framing of charge.

7. Let the petitioner be released on bail after framing of charge on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Jokihat (Mahalgaon O.P.) P.S. Case No. 644 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/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/her 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 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.

(Rajiv Roy, J)

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