

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58860 of 2023

Arising Out of PS. Case No.-111 Year-2023 Thana- RAJIVNAGAR District- Patna

MD. SADDAM SON OF MD. AZAMAT ALI VILL- SAMANPURA RAJA
BAZAR, PS- SASTRI NAGAR, DIST- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-09-2023 Heard the parties.

2. The petitioner is an accused in connection with Rajiv Nagar P.S. Case No. 111 of 2023 registered for the offences under sections 457 and 380 of the Indian Penal Code lodged on 15.02.2023 by the informant, Rajeshwari Kumari Sinha.

3. As per the prosecution story, the informant has alleged that in the night, accused persons entered the room and stolen away the household articles. Accordingly, the FIR.

4. It is the case of the petitioner is that one Parvej Bakho was arrested and on his confession, the name of the petitioner came in and though the police alleges to have recovered one silver 'payal' from his house, the same belongs to his house. Further, he is in custody since 08.04.2023 (as stated



in paragraph 12 of the bail application).

5. Learned APP for the State, on the other hand, opposes the prayer for bail submits that he has criminal antecedent of the same nature.

6. Taking into account the fact that his name has come in the confessional statement, has remained in custody since 08.04.2023, FIR lodged and will be facing the trial, 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 seven criminal cases under his belt.

7. Let the petitioner be released on bail after framing of the charges on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Court of ACJM II, Patna in connection with Rajiv Nagar P.S. Case No. 111 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 *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.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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