

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58815 of 2023**

Arising Out of PS. Case No.-119 Year-2022 Thana- THAKURGANJ District- Kishanganj

MD. MANJAR ALAM @ MANJAR ALAM @ MANJAR SON OF
SAYEED @ MISTER @ MD. SAHEED VILLAGE- JAMUNIGURI PS-
KURLIKOT DISTRICT KISHANGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 04-09-2023 Heard the parties.

2. The petitioner is in judicial custody in connection with Thakurganj P.S. Case No. 119 of 2022 for the offence punishable under Sections 379, 461, 411 of the Indian Penal Code lodged on 29.6.2022 by the informant, Md. Muzahid Islam.

3. As per the prosecution story, the informant alleged that when he came to open his shop, found the lock broken and Rs. 600/- to 700/- kept in the drawer has been taken away. Further, adjacent shop was also broken and ready made shirts were also stolen. Accordingly, the FIR.

4. It is the case of the petitioner that his name has come in the confessional statement of Suraj Basfor whereafter,



he was taken into judicial custody on 15.2.2023 (Para-13 of the petition) but nothing has been recovered from his conscious possession.

5. Learned APP opposes the prayer for bail.

6. Taking into account the aforesaid submission put forward by the learned counsel for the petitioner as also that his name has come in the confessional statement and nothing has been recovered from his conscious possession, he is in custody since 15.2.2023, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Thakurganj P.S. Case No. 119 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 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.

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

(Rajiv Roy, J)

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