

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61220 of 2023**

Arising Out of PS. Case No.-51 Year-2020 Thana- PRANPUR District- Katihar

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Akmal @ Md. Akmal Son Of Atabul Rahman @ Aatur Rahman Resident Of
Village - Basantpur Diyara, P.S. - Amdabad, District - Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 20-09-2023 Heard learned counsel for the petitioner and
the learned A.P.P. for the State.

2. The petitioner seeks bail in connection
with Pranpur P.S. Case No. 51 of 2020, F.I.R. dated
04.03.2020 registered for the offence punishable
under Section 379 of the IPC.

3. The prosecution case in brief is that the
informant went to his Sasural on his Apache
motorcycle. In the same night his motorcycle was
stolen by unknown.

4. Learned counsel appearing for the
petitioner submits that the petitioner has falsely
been implicated in the present case. Petitioner is not
named in the FIR. Name of the petitioner transpired



on the confessional statement of Md. Fateh and on the basis of the confessional statement of Md. Fateh one motorcycle was recovered from the possession of the petitioner. Learned counsel for the petitioner submits that the same motorcycle also is subject matter of Pranpur P.S. Case No.79 of 2020 as well as present FIR and the police, after investigation, submitted charge sheet against the petitioner and the petitioner is in custody since 24.05.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one.

6. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Katihar, in connection with Pranpur P.S. Case No. 51 of 2020, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically



present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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