

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69898 of 2023

Arising Out of PS. Case No.-660 Year-2023 Thana- GAYA MUFASIL District- Gaya

MD. ABID @ ABHDA @ MD. ABIHD SON OF MD. TABIZ MALLIQUE
@ MD. TABISH @ MOHAMMAD TABISH RESIDENT OF MOHALLA -
NEEM GALI, PANCHAYATI AKHARA, P.S. - KOTWALI, DISTRICT -
GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Veer, Advocate.

For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Muffasil P.S. Case No. 660 of 2023 dated 14.6.2023 registered for the offence punishable under Sections 401, 457, 380 and 511 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other accused have been apprehended by public after chase when they were trying to escape after making an attempt of committing theft in the house of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No articles were stolen from the house of the informant



and there has been no recovery of any theft article from possession of the petitioner. It was the month of *Ramazan* when the petitioner was apprehended as he was going to Mosque to offer *Namaz* in the early morning. The petitioner has got clean antecedent and is in custody since 15.6.2023. Learned counsel further submits that the charges have been framed in this case.

5. Learned APP opposes the prayer for bail submitting that the petitioner is a member of gang of thieves who have committed offences earlier as well.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and framing of charge, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Muffasil P.S. Case No. 660 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditons:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by



court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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