

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75265 of 2022

Arising Out of PS. Case No.-334 Year-2022 Thana- VAISHALI District- Vaishali

MD. MAINUDDIN Son of Babujan R/V- Bania, P.S- Saraiya, Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
30.08.2022 in connection with Vaishali P.S. Case No. 334 of
2022, F.I.R. dated 28.08.2022 registered for the offence
punishable under Section 379, 411,406,34 of IPC.

Allegation against the petitioner is that he delivered
stolen article by his Cart. 08 pieces of iron pipe was recovered
from the house of Ram Chandra Mahto and 10 pieces of Iron
Pipes were recovered form the house of Kishan Mahto.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent and he has falsely been
implicated in the present case. Further submits that as per
allegation, some stolen article has been recovered from the Cart



of the petitioner. Learned counsel for the petitioner further submits that the petitioner was not aware that the recovered article is stolen article and the petitioner has no concern at all with the alleged occurrence and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 30.08.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 334 of 2022, with the following conditions:-

(1) 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.

(2) 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.



(3) 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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