

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77313 of 2023

Arising Out of PS. Case No.-623 Year-2023 Thana- BETTIAH CITY District- West
Champaran

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GULREJ ALAM @ GUDDU Son of Rejul Haque @ Raijul Haque R/O -
Jhumka (Behra), Police Station - Sikta, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Pravesh Nath Tiwari
For the Opposite Party/s : Mr.Abhay Kumar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 21-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bettiah Town P.S. Case No. 623 of 2023 registered for the
offences punishable under Sections 413, 414, 420, 467, 468/34
of the IPC.

3. As per prosecution case, petitioner is said to
have apprehended alongwith other co-accused and it is alleged
that one stolen motorcycle and mobile phones were recovered
from their possession.

4. Learned counsel for the petitioner submits that
petitioner is in custody since 14.08.2023 and bears no criminal
antecedent. Learned counsel orally submits that charge sheet has



been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that there is no compliance of Section 100 of Cr.P.C. Learned counsel further submits that petitioner is quite innocent and has falsely been implicated in the case. He further submits that co-accused Shahbaj Alam and Yusuf Jama have already been granted bail vide Cr. Misc. No. 77443 of 2023 and Cr. Misc. No. 76671 of 2023 respectively by a co-ordinate Bench of this Court and the case of present petitioner stands on similar footing.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of the petitioner, co-accused have already been granted bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-1st, Bettiah in connection with Bettiah Town P.S. Case No. 623 of 2023, subject to following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

vashudha/-

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