

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6907 of 2024

Arising Out of PS. Case No.-366 Year-2023 Thana- BEUR District- Patna

Md. Arshad @ Md. Arsad @ Saddab @ Arshad D @ Md. Arasad @ Shadab
@ Sadab @ Arasad S/O Md. Akil @ Md. Sakil @ Sakil R/O Village- Ishapur
Pani Tanki Ke Pas, P.S- Phulwarisharif, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Dharendra Prasad Sinha, Advocate
For the State : Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Beur
P.S. Case No. 366 of 2023 instituted for the offence under
Section 392 of the Indian Penal Code.

3. Prosecution case in short is that when the informant
came out of her house to throw garbage, one miscreant on black
Pulsar motorcycle snatched her gold chain and fled away.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 10-07-2023. Petitioner
bears fifteen criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Name of the petitioner has transpired in this case during course of investigation merely on the basis of suspicion. No incriminating article has been recovered from the possession of the petitioner. Referring to the impugned order, it is submitted that one black colour Pulsar was seen in the CCTV footage thereafter it has been recovered from the house of the petitioner, but the bike in question belongs to the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and nature of accusation, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Beur P.S. Case No. 366 of 2023 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on



two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner commits similar type of offence in future, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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