

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4573 of 2024

Arising Out of PS. Case No.-26 Year-2023 Thana- THAKURGANJ District- Kishanganj

Akram Hussain @ Md. Akram Hussain S/O MD. HUSAIN @ BABLU
VILLAGE- BASIR NAGAR (NOORI BASTI), PS. THAKURGANJ, DIST.
KISHANGANJ.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mrs.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-02-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Thakurganj P.S. Case No. 26 of 2023 for the offence punishable under Sections 379, 461 of the Indian Penal Code lodged on 28.1.2023 by the informant, Manjit Kumar.

3. As per the prosecution story, there was a theft in the shop and in the CCTV Camera, one Puran Kumar Jha was seen and accordingly the FIR. Subsequently, the petitioner was arrested in Thakurganj P.S. Case No. 119 of 2022 in which the police coerced him to confess in this crime.

4. Learned counsel for the petitioner submits that his name has come in the confessional statement before the police and implicated only because of criminal antecedent. Further, the



charges have already been framed but despite he being in custody since 6.2.2023 (para-15 of the petition), no TI Parade was ever conducted.

5. Learned APP opposes the prayer for bail.

6. Considering the submissions put forward by the parties as also that no T.I. Parade was conducted, he is in custody since 6.2.2023, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Thakurganj P.S. Case No. 26 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his



attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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