

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6859 of 2024

Arising Out of PS. Case No.-267 Year-2022 Thana- ARA NAWADA District- Bhojpur

Latif @ Laddu S/O Sube Khan, R/o Village And PS- Utawar, Dist.- Palwal,
Haryana.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Paras Nath, Advocate

For the Opposite Party : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 05-07-2024 Heard Mr. Paras Nath, the learned counsel for the
petitioner and Mr. Satyendra Narayan Singh, the learned
Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
10.08.2022, in connection with Ara Nawada P.S. Case No. 267
of 2022, FIR dated 03.04.2022, registered for the offences
punishable under Sections 461 and 379 of the Indian Penal
Code.

3. Earlier the petitioner has moved before this
Hon'ble Court in Cr. Misc. No. 64205 of 2022 which was
rejected vide order dated 20.04.2023.

4. According to the prosecution case, the informant,
who is Senior Executive in CMS Infosystem, received
information on 03.04.2022 that ATM installed in Anaith on Ara-



Sasaram road was broken and Rs. 21,87,500/- (Rupees twenty-one lakh eighty-seven thousand and five hundred) has been stolen by unknown thieves.

5. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case and he is not named in the FIR. He further submits that the name of the petitioner has transpired in the present case on the basis of the self-confessional statement of the petitioner and nothing has been recovered from the conscious possession of the petitioner.

6. Vide order dated 02.02.2024, a report was called for with regard to the stage of the trial and report dated 17.02.2024 of the learned trial Court reveals that charge has been framed against the petitioner on 14.08.2023, but till date the prosecution has not examined any witnesses.

7. Learned counsel for the petitioner submits that in view of the report of the learned trial Court, there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 10.08.2022.

8. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has confessed himself in the present occurrence and apart from that, petitioner



carries ten cases other than the present one.

9. Considering the aforesaid facts and circumstances, the report of the learned trial Court and the period of custody, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Bhojpur at Ara, in connection with **Ara Nawada P.S. Case No. 267 of 2022**, subject to the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(ii). 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.

(iii). And further condition that the learned trial Court 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 learned trial Court 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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