

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11429 of 2024

Arising Out of PS. Case No.-489 Year-2023 Thana- PUPRI District- Sitamarhi

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Md Jalaluddin @ Jalaluddin Son of Abbas Ansari R/o Village- Madhurapur,
P.S. Bajpatti, Dist. Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Pupri P.S. Case No. 489 of 2023, lodged on 14.11.2023 under
Sections 379, 414 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against two named accused persons including the present
petitioner from whose possession motorcycle has been
recovered which was subject to theft.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the name of the petitioner has been figured in
this case only due to the reason that his antecedent is not clean.
Counsel further submits that the antecedent of the petitioner is
not clean and there are three criminal cases pending against him
in which in two cases, he is on bail and in one case, he is



persuading for bail. The petitioner is in custody since 14.11.2023 in the present case.

5. Learned counsel for the petitioner submits that the offence in which the case has been filed is of magisterial triable. Counsel also submits that the charge-sheet has already been filed in this case.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the motorcycle which was subject to theft was recovered from the possession of the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail four months after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M Pupri, Sitamarhi in connection with Pupri P.S. Case No. 489 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as 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 bonds by the Trial Court itself;

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

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

(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 the bail bonds.

8. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

(I)- Bajpatti P.S. Case No. 120 of 2022.

(II)- Pupri P.S. Case No. 487 of 2023.

(III)- Pupri P.S. Case No. 483 of 2023.

(Dr. Anshuman, J.)

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