

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19922 of 2024

Arising Out of PS. Case No.-773 Year-2023 Thana- KATIHAR NAGAR District- Katihar

Md Monu Khan @ Faiyaaz Khan Son of Md. Jamil Khan Resident of
Mirchaibari, P.S.- Sahayak, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 02-04-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Katihar (S) P.S. Case No. 773 of 2023 for the offence under Section 380 of the I.P.C. lodged on 20.10.2023 by the informant, Md. Khalil Khan.

3. As per the prosecution story, the informant alleged that a theft was committed in his parental house, in which, the computer, T.V. and other medical equipments were taken. The informant suspected the petitioner who is a drug addict to be the person behind the crime. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that contrary to the suspicion of the informant, a bare perusal of para-3 would show that he do not has any criminal antecedent and putting him in category of drug addict, the alleged theft has



been attributed.

5. Learned APP opposes the prayer.

6. Taking into account the aforesaid facts as also that he do not has criminal antecedent, there is a suspicion and that is part for the Police to investigate, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Katihar (S) P.S. Case No. 773 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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 fortnight for next six months 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 anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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