

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17779 of 2024

Arising Out of PS. Case No.-812 Year-2023 Thana- SITAMARHI District- Sitamarhi

Md. Zamirul @ Mangru Son Of Late Md. Islam Rain Resident Of Village
-RAJOPATTI, Ansari Road, Ward No. 8, P.S. - Sitamarhi, District - Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sitamarhi P.S. Case No.812 of 2023 lodged under Section 392
of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against three named accused persons including the
petitioner against whom there is allegation that they have
snatched a mobile and some cash from the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that there are three criminal cases pending against him in which
he is on bail and he is in custody since 24.10.2023 and charge-
sheet has already been submitted in this case.



5. Counsel further submits that the offence under which the petitioner has been charged, is magisterial triable in nature.

6. Learned counsel for the State opposes the prayer for bail and submits that the petitioner has been identified by the informant at the time of commission of the crime.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **6 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 C.J.M., Sitamarhi in connection with Sitamarhi P.S. Case No.812 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other 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. Sitamarhi P.S. Case No.1042 of 2021.

ii. Sitamarhi P.S. Case No.895 of 2021.

iii. Sitamarhi P.S. Case No.137 of 2022.

9. However, trial court is directed to expedite the trial.

(Dr. Anshuman, J.)

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