

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23711 of 2024

Arising Out of PS. Case No.-225 Year-2023 Thana- BRAHMPURA District- Muzaffarpur

Md. Javed @ Mohammad Jawed, Male, aged about 28 years, son of Late Md. Shaukat, resident of Village- Chhit Bhagwatipur, PS- Ahiyapur Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Arun Kumar Singh. APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Brahmpura PS Case No.225 of 2023 dated 24.09.2023, instituted for the offence punishable under Sections 379 of the Indian Penal Code.

3. The prosecution case, in short, is that motorcycle of the informant was stolen by unknown from his shop situated at Juran Chhapra, Main Road Chowk.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case due to his previous antecedents. It is submitted that the petitioner is not named in the FIR and only on the basis of self



confessional statement of the petitioner he has been made accused. Earlier, the petitioner was arrested in Brahmpura PS Case No.229 of 2023 from where the petitioner has been remanded in the present case. It is submitted that after the arrest of the petitioner in Brahmpura PS Case No.229 of 2023, the petitioner has been made accused in five other cases. It is further submitted that the petitioner has six criminal cases against him and he is in custody since 01.11.2023.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Muzaffarpur, in Brahmpura PS Case No.225 of 2023, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will



inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that 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.

7. The application stands disposed of.

(Khatim Reza, J)

J. Alam/-

U		T	
---	--	---	--

