

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34073 of 2024

Arising Out of PS. Case No.-758 Year-2023 Thana- ARARIA District- Araria

Takki Alam @ Taki Alam Son of Ashlam @ Aslam R/O Vill.- Dehti ward no. 08, P.S.- Palasi, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-05-2024 Heard Mr. Mukesh Kumar Rana, learned counsel for the petitioner and Mr. Jitendra Kumar Singh, learned APP for the State.

2. The petitioner is apprehending arrest in connection with Araria (Bairgachhi) P.S. Case No. 758 of 2023 instituted under Sections 379/34 of the Indian Penal Code lodged on 3.8.2023 by the informant, Gufran.

3. As per the prosecution story, the informant alleged that he was participating in 'Muharram' festival and parked his motorcycle which was stolen. Locals informed that this petitioner as also the others has taken it away. Accordingly, the FIR.

4. Learned counsel for the petitioner that only because he has criminal antecedent, implicated. The fact remains that



though according to the informant, the petitioner and others took the motorcycle. The name of the local is/are missing in the FIR.

5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Taking into account the submission put forward by the parties as also that the name of the person who informed the informant about the petitioner is missing, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Araria (Bairgachhi) P.S. Case No. 758 of 2023 to the satisfaction of learned Chief Judicial Magistrate, Araria subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(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 co-operate in the investigation and make himself available to the police as and when required;

(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.

(Rajiv Roy, J)

Ravi/-

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

