

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38782 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- RAJNAGAR District- Madhubani

MD. LAL BABOO S/O MD. ISHAKH @ MD. ISAHAK R/O VILLAGE-
DOSHPUR, P.S- KHAJAULI, DISTT.- MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Rajnagar P.S. Case No. 43 of 2024, G.R. No. 319 of 2024,
lodged on 19.02.2024, under Sections 379, 411/34 of the Indian
Penal Code.

3. As per the prosecution case, F.I.R has been lodged
against some unknown accused persons including the petitioner
against whom there is an allegation of snatching the motorcycle
which has been recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
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. He next submits that antecedent of the petitioner is clean and he is in custody since 20.02.2024.

5. Learned counsel for the state opposes the prayer for bail and submits that as per the allegation made in the F.I.R., it transpired that the petitioner has committed offence and he has been caught red handed from the place of occurrence.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be granted bail, but only after framing 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 A.C.J.M. Ist, Madhubani/ In charge, Successor Court, in connection with Rajnagar P.S. Case No. 43 of 2024, G.R. No. 319 of 2024, subject to the conditions as laid down U/s 437(3) Cr.P.C with other 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.

(Dr. Anshuman, J)

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