

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45495 of 2024

Arising Out of PS. Case No.-136 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

Md. Tanvir Alam @ Tanvir @ Tanvir Alam son of Late Qamruddin Village-
Gayyari Ps- Araria Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kaushlendra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 04-10-2024 Heard Learned Counsel for the petitioner and Learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kochadhaman P.S. Case No. 136 of 2023 dated 05.06.2023,
lodged under Sections 379, 461 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
unknown accused persons against whom there is an allegation
that they have committed theft in Panchayat Government
Building and stolen some articles like, invertor, battery, CCTV,
hard drive, printer, LED Samsung TV etc.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that petitioner is not named in the FIR. Counsel
submits that nothing incriminating has been recovered from the



petitioner's possession nor he was put on TIP. Counsel submits that the petitioner has falsely been implicated in this case and only on suspicion, his name has been figured in this case. Counsel further submits that the criminal antecedent of the petitioner is not clean as there are nine criminal cases pending against him in which in four cases, he is on bail and in rest five cases, he is persuading for bail. The petitioner is in custody since 16.10.2023 in the present case.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case, let the petitioner above named be granted bail, but only after framing of charge, if not framed as well as on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are mentioned below, and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kishanganj in connection with Kochadhaman P.S. Case No. 136 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the 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.

7. Pending cases against the petitioner are as follows:-

- Kasba P.S. Case No. 212 of 2023
- Kasba P.S. Case No. 187 of 2023
- Amour P.S. Case No. 204 of 2023
- Jalagarh P.S. Case No. 121 of 2023
- Kochadhaman P.S. Case No. 142 of 2023
- Kochadhaman P.S. Case No. 124 of 2023



- Kochadhaman P.S. Case No. 161 of 2023
- Kochadhaman P.S. Case No. 159 of 2023
- Kochadhaman P.S. Case No. 99 of 2023

(Dr. Anshuman, J)

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