

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51620 of 2024

Arising Out of PS. Case No.-138 Year-2022 Thana- BAJPATTI District- Sitamarhi

Hasim Laheri @ Md. Hasim Laheri Son of Habib Lahari R/O Vil.- Hussaina,
P.S.- Sitamarhi, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate
For the State : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-07-2024 Heard Mr. Hans Lal Kumar, learned counsel for
the petitioner and Mr. Dinesh Singh, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 12.08.2022, in connection with S. Tr. No. 296 of 2023 arising out of Bajpatti P.S. Case No. 138 of 2022, FIR dated 18.05.2022 for the offences punishable under Sections 413 and 414 of the Indian Penal Code.

3. As per the prosecution case, petitioner along with other co-accused persons are involved the

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the FIR, the name of the petitioner has been transpired during the investigation on the basis of the



confessional statement of the co-accused person, namely, Tanbeer Shekh. He further submits that the co-accused person, namely, Md. Tanweer Shekh @ Tanwir @ Tanbeer has been granted bail by a co-ordinate Bench of this Court vide order dated 25.02.2023 passed in Cr. Misc. No. 65372 of 2022, co-accused person, namely, Aashma Khatoon has been granted bail by this Court vide order dated 26.04.2023 passed in Cr. Misc. No. 65371 of 2022 and co-accused persons, namely Halim Khan @ Md. Ali & Lal Babu Nadaf have also been granted bail by a co-ordinate Bench of this Court vide order dated 12.01.2024 passed in Cr. Misc. No. 339 of 2024. He further submits that police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 12.08.2022.

5. Learned learned A.P.P. for the State, on the other hand, opposed the prayer for bail of the petitioner and submits that petitioner carries eleven case other than the present one but fairly submits on the basis of the para-3 of the bail petition that the petitioner is on bail in ten cases out of eleven cases.

6. Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Additional District & Sessions Judge-IX, Sitamarhi in connection with S. Tr. No. 296 of 2023 arising out of Bajpatti P.S. Case No. 138 of 2022 with the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(ii) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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