

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66358 of 2024

Arising Out of PS. Case No.-171 Year-2023 Thana- PALASI District- Araria

Md. Subhan Son of Late Raish @ Raisuddin Resident of Kerore Dighli, Ward No.2, P.S. - Palasi, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh, Adv

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Palasi P.S. Case No. 171 of 2023 lodged on 02.06.2023 under Section 392 of the Indian Penal Code.

3. As per the prosecution case, F.I.R. has been lodged against unknown accused persons against whom there is an allegation of committing robbery.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the name of the petitioner has been figured in this case only by virtue of confessional statement of co-accused. He further submits that nothing incriminating has been recovered from the possession of the petitioner. Counsel further



submits that the criminal antecedent of the petitioner is not clean and there is one case pending against him in which he is on bail. The petitioner is in custody since 07.08.2023

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

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be granted bail *after framing of charge, if the charge is not framed yet* and on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class-cum-A.M-III Araria in connection with Palasi P.S. Case No. 171 of 2023 subject to the condition laid down under Section 437(3) of the 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.

(Dr. Anshuman, J)

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