

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72942 of 2024

Arising Out of PS. Case No.-162 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

Md. Irfan @ Irfan Alam @ Md Irfan Alam S/o Md. Asad @ Azad Miyan @
Ajad Hussain R/o Village- Parauli, P.S.- Basantpur, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Anupam, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Baikunthpur P.S. Case No. 162 of 2019 dated 02.07.2019,
lodged under Section 392 of the I.P.C.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner has earlier been rejected vide
order dated 10.05.2023 passed in Cr. Misc. No. 16179 of 2023
in which liberty was granted to him to renew his prayer for bail
three months after framing of charge. He submits that the charge
has already been framed in this case on 17.10.2023 but
thereafter, the case could not be concluded. It is true that there
are six criminal antecedents of the petitioner and he is on bail in
all six cases.



4. Learned counsel for the State opposes the prayer for bail.

5. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Gopalganj in connection with Baikunthpur P.S. Case No. 162 of 2019, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(i) one of the bailors 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.

6. It is made clear that the Trial Court shall accept the bail bond of the petitioner on being satisfied that he is not absconding in the cases pending against him, as follows:-

- (i) Sidhwaliya P.S. Case No. 190 of 2019
- (ii) Sidhwaliya P.S. Case No. 159 of 2019
- (iii) Mashrakh P.S. Case No. 364 of 2019
- (iv) Bhagwanpur Hat P.S. Case No. 204 of 2018
- (v) Baikunthpur P.S. Case No. 255 of 2019
- (vi) Bhagwanpur Hat P.S. Case No. 170 of 2019.

(Dr. Anshuman, J.)

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