

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73715 of 2023

Arising Out of PS. Case No.-300 Year-2022 Thana- DHAMDAHA District- Purnia

MD. PAPPU @ MD. PAPPU SHEIKH @ NOOR MOHAMMAD NOOR
HASSAN R/o Village- Ali Nagar, P.s.- Dhamdaha, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Dhamdaha P.S. Case No. 300 of 2022 registered under Sections 392, 413 and 414 of the Indian Penal Code and Section 25 (1-b) a and 26 of the Arms Act lodged on 17.10.2022 by the informant, Ranjit Kumar Sha.

3. As per the prosecution story, when he was going to Purnia along with the co-villager, accused persons intercepted and took away cash as also samsung mobile. However, on alarm, the villagers assembled and one of the accused persons arrested who in his confession gave the name of the petitioner. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that his



name has come in the confessional statement, do not have criminal antecedent and further the motorcycles that were recovered/seized from the spot, none of it belongs to him.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that his name has come in the confessional statement.

6. Taking into account the submissions put forward by the learned counsel for the parties as also that he do not have criminal antecedent nor the two motorcycles which were recovered/seized belongs to him, this Court is inclined to grant him privilege of anticipatory bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnia in connection with Dhamdaha P.S. Case No. 300 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next 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 evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(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.

(Rajiv Roy, J)

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