

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79210 of 2024

Arising Out of PS. Case No.-108 Year-2024 Thana- MITHANPURA District- Muzaffarpur

Md. Sharukh Khan @ Md. Shahrukh, S/o- Md. Samsul, Resident of Village-
Azad Road Chandwara, PS- Town ,District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-11-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Mithanpura P.S. Case No. 108 of 2024 for the offence punishable under Sections 457, 380, 411 of the Indian Penal Code, lodged on 28.3.2024 by the informant Sarita Kumari.

3. As per the prosecution story alleges about the theft of mobile and tab of the informant which led to the FIR against unknown persons. Subsequently, during the investigation, the accused persons were picked up, on the basis of which included the petitioner and there is recovery/seizure of the tab of the informant from him, which led to his custody since 10.5.2024 (para-12 of the petition).

4. Learned counsel for the petitioner submits that he is a young boy of 20 years, having no criminal antecedent,



purchased the tab from Md. Saddam, in that way, came to be implicated. If granted bail, he shall be diligently appear in trial.

5. Learned APP opposes the prayer submitting that there is a recovery/seizure from him.

6. Taking into account the aforesaid facts as also that he is a young boy, has remained in custody since 10.5.2024, has no criminal antecedent and it has undertaken that he will be diligently appear in trial, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned J.M. 1st Class (East), Muzaffarpur, in connection with Mithanpura P.S. Case No. 108 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next one year to mark his 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 the 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 his bail bonds.

(Rajiv Roy, J)

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