

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 81865 of 2023

Arising Out of PS. Case No.-676 Year-2023 Thana- MADHEPURA District- Madhepura

MD. AFROJ S/O LATE MD. ROJIT VILLAGE- BHIRKHI, WARD NO. 26,
PS.AND DIST. MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Adv.

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioner seeks regular bail in connection with
Madhepura P.S. Case No.676 of 2023 lodged under Sections
380 and 457 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against unknown accused persons against whom there is
allegation that theft has been committed at the house of the
informant in which golden articles are subject to theft
mentioned in the F.I.R. itself.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that F.I.R. has been lodged against unknown accused persons
and the name of petitioner has figured in this case by virtue of



self confessional statement of petitioner. He also submits that police has inserted the name of petitioner only due to the reason that his antecedent is not clean and he is accused in 13 criminal cases.

5. Counsel for the petitioner submits that petitioner is in custody since 05.07.2023 having 13 criminal antecedent in which he is on bail in all the cases. He also submits that name of petitioner has been inserted in 9 cases on one day. He further submits that nothing incriminating has been recovered nor he has been put on T.I.P. and the offence in which the petitioner has been charged, is magisterial triable in nature.

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

7. 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) with two sureties of the like amount each to the satisfaction of learned J.M. 1st, Madhepura in connection with Madhepura P.S. Case No.676 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other 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.

8. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

- i. Madhepura P.S. Case No.458 of 2022.
- ii. Madhepura P.S. Case No.720 of 2019.
- iii. Madhepura P.S. Case No.904 of 2020.



- iv. Madhepura P.S. Case no.19 of 2023.
- v. Madhepura P.S. Case No.57 of 2023.
- vi. Madhepura P.S. Case No.153 of 2023.
- vii. Madhepura P.S. Case No.142 of 2023.
- viii. Madhepura P.S. Case No.209 of 2023.
- ix. Madhepura P.S. Case No.372 of 2023.
- x. Madhepura P.S. Case No.190 of 2023.
- xi. Madhepura P.S. Case No.181 of 2023.
- xii. Madhepura P.S. Case No.331 of 2023.
- xiii. Madhepura P.S. Case No.311 of 2023.

(Dr. Anshuman, J.)

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