

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82528 of 2024**

Arising Out of PS. Case No.-509 Year-2023 Thana- JOKIHAT District- Araria

Md. Jawed @ Guddu @ Jawed Son Of Late Aiyub @ Md. Aiyub @ Md.  
Ayyub R/O Vil.- Matiyari, P.S.- Jokihat, District- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Md. Naushaduzzoha, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      20-12-2024                      Heard the learned Advocate for the petitioner and the  
learned APP for the State.

2. The petitioner seeks regular bail, who is in custody  
in connection with Jokihat P.S. Case No. 509 of 2023, registered  
for the offence punishable under Section 392 of the Indian Penal  
Code.

3. While the informant was going to deposit the  
collected amount to the tune of Rs. 76,750/-, in the meanwhile,  
two miscreants riding on a motorcycle came there and dashed  
the motorcycle, due to which he fell down. It is further alleged  
that on the point of knife, the miscreants tried to snatch his bag,  
containing valuables. On protest, one of the miscreants also  
assaulted the informant and subsequently, they fled away with  
the valuables.



4. Learned Advocate appearing on behalf of the petitioner contended that admittedly, the FIR has been instituted against unknown miscreants. However, during the course of investigation, the petitioner was identified through the CCTV footage and whereupon, co-accused Rahul was apprehended and from whose possession, a cash amount of Rs. 12,000/- and a mobile phone was recovered. The apprehended co-accused Rahul also disclosed the name of the petitioner. It is further contended that co-accused Rahul, against whom there is identical allegation, he has been accorded the privilege of regular bail after framing of the charge by this Court in Cr. Misc. No. 72850 of 2024 vide order dated 29.11.2024.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner bears nine criminal antecedent, which speaks loud about the complicity of the petitioner in identical nature of crime. Moreover, the petitioner has been incarcerated only since 09.07.2024.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner was identified through the CCTV footage, coupled with his criminal antecedent, *this Court is not acceded to the prayer of*



*bail of the petitioner at present, let the petitioner, named above, be released on bail on/after framing of the charge*, on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Jokihat P.S. Case No. 509 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in



terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

7. The bail application stands disposed off.

**(Harish Kumar, J)**

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