

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86307 of 2023

Arising Out of PS. Case No.-110 Year-2023 Thana- ABADPUR District- Katihar

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1. Munvar @ Manwar S/o Late Baharuddin Resident of Village - Kotahar, P.S.- Abadpur, District - Katihar.
 2. Atabul S/o Samsad Resident of Village - Kotahar, P.S.- Abadpur, District - Katihar.
 3. Atiful S/o Samsad Resident of Village - Kotahar, P.S.- Abadpur, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-01-2024 Heard Mr. Bhola Prasad, learned counsel for the petitioners and Mr. Jai Narayan Thakur learned APP for the State.

The petitioner apprehends his arrest in connection with Abadpur P.S. Case No. 110 of 2023 registered under Sections 341, 323, 307, 385, 379, 504 and 506/34 of the Indian Penal Code lodged on 16.07.2023 by the informant, Abdul Wadud.

As per the prosecution story, the informant has alleged that while returning home, he was chased by accused persons, demanding ransom and upon denial it is alleged that



Md. Miraj and Mano on the point of gun snatched Rs. 30,000/- from his pocket. As the villagers assembled, they escaped. Accordingly, the FIR.

It is the case of the petitioners that they have been implicated but no role has been assigned to them, specific allegation is against Md. Miraj and Mano that they snatched Rs. 30,000/- from his pocket. The last submission is that they do not have criminal antecedent.

Learned APP for the State opposes the prayer for bail stating that all of them were chasing the informant whereafter Md. Miraj and Mano has snatched Rs. 30,000/-.

Taking into account the submission put forward by the parties as also the fact that petitioners do not have criminal antecedent, no role has been assigned to them and the specific allegation is against Md. Miraj and Mano, this Court is inclined to extend them the privilege of bail.

Let the petitioners, 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 Judicial Magistrate, 1st Class, Katihar in connection with Abadpur P.S.



Case No. 110 of 2023, 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 petitioners who shall provide official document to show
his/her *bona fide*;

(ii) the petitioners 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 their
bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned
police station every month for one year to mark attendance;

(iv) the petitioners 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 their bail bonds;

(v) the petitioners 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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