

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6921 of 2024

Arising Out of PS. Case No.-465 Year-2023 Thana- PURNEA SADAR District- Purnia

Md. Azaz S/O Md. Layeek @ Md. Laik R/O Aina Mahal, Gulabbagh, P.S-
Sadar, Distt.- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Singh, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 09-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sadar P.S. Case No. 465 of 2023 dated 23.05.2023, lodged
under Section 395 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against 11-12 unknown accused persons against whom,
the allegation of dacoity is there.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that petitioner is not named in the F.I.R., his name has figured in
this case by virtue of the confessional statement. He further
submits that there are five criminal antecedents of the petitioner
in which he is on bail. He further submits that petitioner is in

custody since 28.05.2023 in which charge-sheet has already been filed.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean and at the time of granting bail, this aspect may be taken into consideration.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail **(only after framing of charge, if not framed as well as on the satisfaction of the Court below that he is not absconding in any of the cases, i.e. Sadar P.S. Case No. 59 of 2021, Sadar P.S. Case No. 580 of 2021, Kasba P.S. Case No. 350 of 2021, Sadar P.S. Case No. 625 of 2022 and Sadar P.S. Case No. 478 of 2023)** on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Sadar P.S. Case No. 465 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(i) one of the bailors 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.

7. With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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