

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7088 of 2024

Arising Out of PS. Case No.-204 Year-2023 Thana- NOORSARAI District- Nalanda

Md. Israil S/O Md. Jalaluddin Village- Andhana, Ps. Noorsarai, Dist. Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Noorsarai P.S. Case No. 204 of 2023, lodged on 05.05.2023
under Section 392 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against four unknown accused persons against whom there is an
allegation that they have looted the toto of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the name of the petitioner has been figured in
this case only by virtue of confessional statement of the co-
accused who accept the involvement in the commission of
crime. Counsel further submits that the antecedent of the



petitioner is not clean and only due to this reason, the name of the petitioner has been figured in this case. Counsel also submits that initially in the bail application, he has given the details of four cases and intimated that in one case, namely, Harnaut P.S. Case No. 248/2023, he has no concern with this case. But today, he got knowledge that the petitioner's name has involved in this case also. As such, there are five criminal cases pending against him. The petitioner is in custody since 09.06.2023 in the present case.

5. Learned counsel for the petitioner submits that so far as the present case is concerned, there is no material against the petitioner. Counsel further submits that the offence in which the case has been filed is of magisterial triable. Counsel also submits that other co-accused persons have been granted bail by the co-ordinate bench of this Court *vide* orders dated 09.01.2024 and 18.01.2024 passed in Cr. Misc Nos. No. 81269 of 2023 and 2005 of 2024 respectively.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is not clean.

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 Judicial Magistrate 1st Class, Nalanda at Bihar Sharif in connection with Noorsarai P.S. Case No. 204 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

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

- (I)- Noorsarai P.S. Case No. 207 of 2023.
- (II)- Noorsarai P.S. Case No. 199 of 2023.
- (III)- Noorsarai P.S. Case No. 208 of 2023.
- (IV)- Deepnagar P.S. Case No. 191 of 2023.
- (V)- Harnaut P.S. Case No. 248 of 2023.

(Dr. Anshuman, J.)

Divyansh/-

U		T	
---	--	---	--

