

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13536 of 2025

Arising Out of PS. Case No.-444 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Fardeen @ Fardeen Raza S/o- Md. Chand R/o- Ward no 11 Bishunpur Ps -
Moffassil Bishanpur Hakimabad, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey
For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 379 of the I.P.C. and later on, amended to Section 392
of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of two cases and the informant
alleges that while he was coming from the Bank carrying
Rs.31,363/- kept in the bike, when he was intercepted by four
unknown accused persons, who dashed his motorcycle and
thereafter, fled with his motorcycle.

4. The learned counsel for the petitioner submits that



the FIR was against unknown and during the course of investigation, Raushan was arrested, who disclosed the name of the petitioner. It is thus submitted that name of the petitioner transpired in the case based on confessional statement. It is next submitted that at Para-90 of the case diary, it has been recorded that the accused persons were seen visiting the house of the accused i.e. petitioner.

5. Learned A.P.P. opposes the anticipatory bail application and submits that it is a case of road robbery and the petitioner has antecedent of two cases and in the event, if petitioner is granted the privilege of anticipatory bail, the petitioner may abscond on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. Considering the submissions made by the learned counsel for the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate,



Samastipur in connection with Samastipur (Muffasil) P. S. Case No.444 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with a further condition that one of the bailors of the petitioner shall be his father namely, Md. Chand.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. Further, it is made clear that in the event, if charge-sheet is filed connecting the petitioner with the offence in that event, the present anticipatory bail order shall loose its effect.

10. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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