

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35106 of 2025

Arising Out of PS. Case No.-14 Year-2023 Thana- SAKRA District- Muzaffarpur

Md Javed @ Niyaj, Son of Md. Kamar, Village -Kasbe Ahar, Ps- Tajpur, Dist-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Hussamuddin Azad, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 08-08-2025 Heard the parties.

2. The application for grant of bail to the petitioner who is in custody in connection with Sakra P.S. Case No. 14 of 2023 registered for the offence punishable under Section 392 of the Indian Penal Code.

3. This is the second attempt made on behalf of the petitioner, as earlier the prayer for bail of the petitioner stood rejected by this Court vide order dated 20.11.2024 in Criminal Miscellaneous No. 62274 of 2024 after taking note of the 8 criminal antecedents, apart from the recovery of the motor cycle from the possession of the petitioner.

4. Learned Advocate appearing on behalf of the petitioner submitted that admittedly the prayer for bail of the petitioner was rejected, however, with the liberty to



renew his prayer for bail after framing of the charge. It has been apprised to this Court that now the charges have already been framed on 14.07.2025 and the case is fixed for evidence.

5. On the other hand, learned Additional Public Prosecutor for the State vehemently opposes the bail application and submits that the petitioner bears 8 criminal antecedent as has been disclosed in the petition.

6. Considering the submissions set forth and the observation made by this Court on the last occasion, as also the fact now the charges have been framed, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 15, East Muzaffarpur in connection with Sakra P.S. Case No. 14 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.

(Harish Kumar, J)

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