

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44559 of 2025

Arising Out of PS. Case No.-402 Year-2023 Thana- FALKA District- Katihar

Md. Mukhtar @ Md. Mukhtar Alam S/o Md. AShfaque @ Md. Ashfaque
Alam R/o Village- Bari Chatar, Dhanetha, P.S.- Falka, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 21-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Falka
P.S. Case No. 402 of 2023, instituted for the offences punishable
under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that, some
unknown miscreants intercepted the informant, snatched his
mobile phone and Rs. 84,020/- and fled away after taking his
key of motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case as
well as cognizance has also been taken against the petitioner. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of secret information received by the police. It is further submitted that neither any recovery has been made from the possession of the petitioner nor any T.I. parade has been conducted in this case. The petitioner is in custody since 10.02.2025 and has got eight criminal antecedents in which he is on bail in six cases.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Falka P.S. Case No. 402 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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