

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45367 of 2025

Arising Out of PS. Case No.-810 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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1. Tajuddin Mian @ Tajuddin S/O Samsuddin Mian
 2. Hasan Mian @ Sajjan @ Md. Hasan Alam S/O Tajuddin Mian @ Tajuddin
Both are R/O Village- Hassan Nagar, Ward No.-4, Ghorasahan, P.S-
Ghorasahan, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-07-2025 Heard Mr.Sunil Kumar No.III, learned counsel for
the petitioners and Ms.Pushpa Sinha, learned Additional Public
Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Bettiah Town P.S.Case No.810 of 2020, FIR
dated 19.12.2020 registered for the offences punishable under
Sections 461,379,411,413,414 of the Indian Penal Code.

3. The case relates to theft committed in the shop of
the informant from where 66 pieces of smart phones worth Rs.
7,70,000/- along with accessories worth Rs. 50,000/- has been
stolen.

4. Learned counsel for the petitioners submits that



petitioners have falsely been implicated in the present case. The petitioners are not named in the FIR. The name of the petitioners has been transpired during investigation on the basis of the confessional statement of co-accused persons, namely, Noor Mohammad and Vikash Kumar and they have stated that they have sold the mobile in question which was theft from the shop of the informant and except the aforesaid, no other cogent material has come during investigation against the petitioners to suggest the involvement of the petitioners in the present occurrence.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners are involved in the present crime in question, apart from that, petitioners have purchased the mobile in question from co-accused persons and apart from that, petitioner No.1 carries one more case and petitioner No.2 carries four more cases other than the present one but fairly submits that the petitioners are on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, the petitioners are not named in the FIR and the name of the petitioners has been transpired during investigation on the basis of the confessional



statement of co-accused persons, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No.810 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their



criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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