

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52588 of 2025

Arising Out of PS. Case No.-11 Year-2024 Thana- BHAIKAVSHTHAN District- Madhubani

Md. Asaraf Ali @ Aman S/O Md. Shamim R/O Village- Satghara, P.S.-
Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 01-08-2025 Heard Mr. Ravi Ranjan, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with
Bhairav Sthan P.S. Case No. 11 of 2024 for the offence
punishable under sections 379 of the Indian Penal Code lodged
on 02.02.2024 by the informant, Ganesh Kumar Yadav.

3. As per the prosecution story, the informant alleged
that he had gone to meet the relative and while returning,
stopped for attending the nature's call and found the motorcycle
missing. This led to the FIR.

4. Subsequently, during the investigation, the
petitioner was picked up and the vehicle stands recovered when
the petitioner was also apprehended which resulted into
Madhubani Town P.S. Case No. 134 of 2024.



5. Earlier, the petitioner moved before this Court in Cr. Misc. 79582 of 2024 which came to be rejected on 19.11.2024. This is the second attempt.

6. Learned counsel for the petitioner submits that he has already suffered by being in custody since 20.07.2024 as he had criminal antecedent, if granted bail, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail.

6. Considering the submissions of the parties as also his period of custody, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jhanjharpur, Madhubani in connection with Bhairav Sthan P.S. Case No. 11 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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