

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69522 of 2024

Arising Out of PS. Case No.-180 Year-2022 Thana- PAKRIDAYAL District- East Champaran

Md. Osaid Alam @ Arabaj Alam @ Md. Osaid @ Md. Arabaj Alam Son of
Md. Kuraban Alam @ Kurvan Miyan Resident of village- Shikarganj, Ward
No. 07, P.S.-Shikarganj, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Ranjana Srivastava, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 12-02-2025 Heard Learned Counsel for the petitioner and Learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Pakaridayal P.S. Case No.180 of 2022, lodged on 10.07.2022,
under Section 379 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
unknown accused persons against whom there is an allegation
of theft of motorcycle.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the FIR has been lodged against unknown and police has
named him only due to the reason that his antecedent is not
clean. Counsel submits that there are total 11 criminal



antecedents of the petitioner. Charge sheet has already been submitted in this case and this case is magisterial triable. Counsel submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed. Counsel for the petitioner submits that petitioner is in custody since 01.03.2024.

5. Learned Counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean. At the time of filing of the bail application he has nine criminal antecedent and during pendency of the bail application he has been made accused in two more cases. As such, there are in total 11 criminal antecedents against the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail, **only after framing of the charge, if not framed, as well as the Trial Court on being satisfied that the petitioner is not absconding in any one of the 11 cases named below**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran at Motihari in connection with Pakaridayal P.S. Case No.180 of 2022, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following



conditions:

(i) One of the bailor should be the family member of the petitioner who shall provide official document to show his 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 bonds by the Trial Court itself;

(iii) The petitioner shall appear before the concerned police station every month for one year to mark attendance;

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

(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 the bail bonds.

7. The following criminal cases are pending against the petitioner:

(i) Sessions Trial No.189 of 2020,

(ii) Sessions Trial No.378 of 2019,

(iii) Sessions Trial No.1082 of 2022,



- (iv) Chakiya P.S. Case No. 386 of 2020,
- (v) Dhaka P.S. Case No. 40 of 2020,
- (vi) Pakridayal P.S. Case No. 10 of 2024,
- (vii) Pakridayal P.S. Case No. 178 of 2022,
- (viii) Pakridayal P.S. Case No. 177 of 2022,
- (ix) Pakridayal P.S. Case No. 181 of 2022,
- (x) Pakridayal P.S. Case No. 170 of 2022
- (xi) Chiraiya (Shikarganj) P.S. Case No. 239 of 2017.

(Dr. Anshuman, J)

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