

(2020) 01 PAT CK 0027

In the Patna High Court

Case No : Criminal Miscellaneous No. 83552 Of 2019

Saddam Ansari @ Md. Saddam Ansari @ Sajo Raj

APPELLANT

Vs

State Of Bihar

RESPONDENT

Date of Decision : 08-01-2020

Acts Referred:

Indian Penal Code, 1860 — Section 34, 413, 414

Citation : (2020) 01 PAT CK 0027

Hon'ble Judges : Ahsanuddin Amanullah, J

Bench : Single Bench

Advocate : Ramesh Kumar Singh, Jharkhandi Upadhyay

Final Decision : Disposed Of

Judgement

1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in connection with Forbesganj PS Case No.550 of 2019 dated 16.06.2019 instituted under Sections 413, 414/34 of the Indian Penal Code.
3. The allegation against the petitioner and another co-accused is of possessing a stolen motorcycle.
4. Learned counsel for the petitioner submitted that he was merely riding on the motorcycle driven by co-accused having taken lift from the market and was coming to the village where other co-accused also lived. Learned counsel submitted that the petitioner is not concerned either with the co-accused or the motorcycle which was being driven by him. It was submitted that the petitioner is in custody since 17.06.2019. Learned counsel also drew attention of the Court to the order dated 15.11.2019 passed by a co-ordinate Bench in Cr. Misc. No.68698 of 2019 by which co-accused Yusuf @ Md. Yusuf has been granted bail.
5. Learned APP submitted that the petitioner was also caught with the stolen motorcycle.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, in Forbesganj PS Case No.550 of 2019, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off in the aforementioned terms.