

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21079 of 2020**

Arising Out of PS. Case No.-390 Year-2018 Thana- BUDDHACOLONY District- Patna

AJIT RAY Son of Jagbandhu Rai R/O Mohalla-S H Dutte Road, Ward no. 11
(Bairekpur), Dist.- North 24 pargana, State- West Bengal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kant Singh, Advocate

For the Opposite Party/s : Mr.Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 29-06-2020 Learned counsel for the petitioner undertakes to
remove the defects, as pointed out by office, within three weeks
after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner in the present case is seeking regular
bail in connection with Budha Colony P.S. Case No. 390/2018
registered for the offence under Sections 419, 420 and 379 of
the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner in order to show his bonafide is ready to deposit a
total sum of Rs. 94,000/- in the court below in three installments
subject to result of the case. Learned counsel further submits



that the mobile from which the call was made to the informant was not the mobile of this petitioner, as also that the petitioner has remained in custody since 03.02.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case and the submission of learned counsel for the petitioner wherein it is submitted that the petitioner in order to show his bonafide is ready to deposit a total sum of Rs. 94,000/- in the court below in three installments subject to result of the case and further submission that the mobile from which the call was made to the informant was not the mobile of this petitioner as also that the petitioner has remained in custody since 03.02.2020 having no criminal antecedent and at this stage his further continuation in jail is not likely to aid in investigation or help the prosecution, there being no submission on behalf of the State that his release is likely to interfere with the course of trial, let the petitioner above named be released on bail in connection with Budha Colony P.S. Case No. 390 of 2018 on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction learned A.C.J.M. 2nd, Patna, subject to the conditions as laid down under



Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

Further condition that at the time of submission of bail bond the petitioner shall submit the proof of deposit of Rs. 34,000/- and after his release within next two months he will deposit further amount of Rs. 60,000/- in the court below subject to result of the case which the informant may be allowed



to withdraw subject to undertaking to be given by the informant
that in case of clean acquittal of the petitioner the informant
would be liable to return the amount with interest at the bank
rate.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

