

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM COURT'S CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.26266 of 2020**

Arising Out of PS. Case No.-680 Year-2019 Thana- MASAUDHI District- Patna

Sumit Kumar, Son of Om Shankar Chaudhari, Resident of Village-
Dahibhatta, P.S.- Masaurhi, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P.

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

2 13-10-2020 Learned counsel for the petitioner has not joined the proceeding. Mr. Akhileshwar Dayal, learned A.P.P. for the State is present.

Petitioner in the present case is seeking regular bail in connection with Masaurhi P.S. Case No. 680 of 2019 registered for the offences punishable under Sections 427, 295, 511 of the Indian Penal Code.

As per the prosecution story, the informant reported to police that on 17.09.2019 when he reached at the temple in the morning hours he found that the idol of Shani Deo which is in broken condition and some unknown persons broken the idol of the God. In this regard, he informed the other persons named in the F.I.R. It is the case of the petitioner that there is no eye



witness to the alleged occurrence and he is in custody since 28.09.2019 he has otherwise no criminal antecedent as stated in paragraph '3'.

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

Considering the facts and circumstances of the case, wherein it is submitted that there is no eye witness to the alleged occurrence and the petitioner is in jail for more than one year by now, let the petitioner above-named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Muzaffarpur in connection with Masaurhi P.S. Case No. 680 of 2019, 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 the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

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.

(Rajeev Ranjan Prasad, J)

vats/-

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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'.

