

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.24970 of 2020**

Arising Out of PS. Case No.-575 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

PRINCE KUMAR Son of Upendra Ram R/o Village- Barahuli, P.S.-
Mohania, District- Kaimur at Bhabua.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr.

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

4 20-10-2020 Heard learned counsel for the petitioner. Although the Court is still going on, learned APP for the State is not present.

The petitioner in the present case is seeking regular bail in his second attempt in connection with Bhabua P.S. Case No. 575 of 2019 registered for the offences punishable under Sections 401, 413, 414, 420, 467, 468, 34 of the I.P.C.

Learned counsel for the petitioner submits that earlier while rejecting the prayer for bail of the petitioner on 13.12.2019 this Court had given an observation that the petitioner may renew his prayer for bail after a reasonable period. It is stated that the petitioner is renewing his prayer after 10 months and in connection with this case he has now remained in custody since 28.09.2019. The status report



received from the learned court below shows that the case is still pending for framing of charge.

In the aforesaid facts and circumstances of the case, considering the fact that earlier this Court had rejected the prayer for bail of the petitioner taking note of his custody for only since 28.09.2019 but now the petitioner has remained in custody for over one year, let the petitioner above-named be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 575 of 2019, Gr. No. 2090/19, subject to the condition as laid down under Section 437 (3) 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, of 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.

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 steps for cancellation of bail bond of the petitioner.

And further condition that the petitioner shall appear in course of trial on each and every date and two consecutive defaults in putting appearance in the court below would invite action towards cancellation of bail bond of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

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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'.

