

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM COURT'S CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.26213 of 2020**

Arising Out of PS. Case No.-37 Year-2020 Thana- ADAPUR District- East Champaran

SRIKANT KUMAR S/o Ramadhar Mahto Resident of Village- Koraiya, P.S.-
Mahuawa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ramchandra Sahani, APP

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

2 12-10-2020 Learned counsel for the petitioner undertakes to remove all the defects pointed out by Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Ramchandra Sahani, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Adapur P.S. Case No.37/2020 registered for the offence under Sections 413 and 414 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the allegation this petitioner was arrested on 09.02.2020 by the informant who is Sub-inspector of Police while the petitioner was riding with a motorcycle passing through Shaympur Railway Dhala and after seeing the police party he was tried to flee away after leaving said motorcycle. It is alleged that the motorcycle is stolen one and the



petitioner was going to Nepal for selling the said motorcycle. Learned counsel submits that he has been implicated in this case by police with ulterior motive as the police was pressurizing him to sign some blank paper for making seizure list. It is further submitted that the petitioner is in jail since 10.02.2020, he has got no criminal antecedent and if released on bail at this stage there is no chance of his indulging in tempering with the evidence or otherwise adversely affecting the course of trial.

On the other hand, learned APP for the State has though opposed the prayer for regular bail of the petitioner, but considering the facts and circumstances of the case the statement in paragraph '3' of the application saying that the petitioner has got fair antecedent and further that he has remained in jail since 10.02.2020, investigation against him is complete and there being no submission that his release is likely to result in tempering of evidence or interfering with the course of trial, let the petitioner abovenamed 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 S.D.J.M., Raxaul at Motihari, East Champaran in connection with Adapur P.S. Case No.37/2020, 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 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 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)

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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'.

