

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81658 of 2019

Arising Out of PS. Case No.-153 Year-2019 Thana- JOGBANI District- Araria

Raushan Kumar Son of Sunil Das Resident of Village - Dariyapur, P.S. -
Sheikhpura, District - Sheikhpura, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan Sinha

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 19-06-2020 The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since
24.05.2019 in a case registered for the offence punishable under
Section 414 of the Indian Penal Code, hence, the prayer for bail
has been made through the present application.

The prosecution case, as per the written report of
Pramod Singh, A.S.I., SSB, Jogbani submitted to the Station
House Officer, Jogbani Police Station, is to the effect that on
23.05.2019, the one was going to Nepal on a motorcycle along
with a bag and on suspicion he was apprehended, who disclosed
his name as Raushan Kumar, the petitioner and from the bag
several gold and silver ornaments were recovered. It is alleged



that the petitioner also disclosed that he was tenant in the house of one Raghunath Pandit situated in Mohalla – East Ramkrishna Nagar, Patna and he has committed theft in the house of his landlord.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been framed in the present case and said Raghunath Pandit has lodged being Ramkrishna Nagar P.S. Case No. 367 of 2019 under Section 380 of the IPC in which the petitioner has been named as accused but still the petitioner has not been put on T.I. Parade and investigation has already been concluded.

Learned APP for the State submits that the petitioner was apprehended with stolen articles and he has confessed his guilt.

Considering the nature of accusation and investigation being concluded, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Araria in connection with Jogbani P.S. Case No. 153 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to



accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Araria in connection with Jogbani P.S. Case No. 153 of 2019.

The learned Court below is at liberty to further extend the period of provisional bail if the court proceeding in physical mode will not resume in next three months.

However, the learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for three consecutive occasions.

(Dinesh Kumar Singh, J)

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