

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.13021 of 2021**

Arising Out of PS. Case No.-159 Year-2020 Thana- RANIGANJ District- Araria

NAVNEET KUMAR @ NAVNEET YADEV Son of Surya Narayan Yadev
Resident of Village - Jamunghat Hasanpur, P.S.- Raniganj, Dist.- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms..Kumari Ritambhara, Advocate
For the Opposite Party/s : Mr. Nazir Ansari, APP

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

2 17-06-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Nazir
Ansari, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Raniganj P.S. Case No. 159 of 2020
registered for the offences punishable under Sections 395, 397
of the Indian Penal Code.

Learned counsel for the petitioner submits that as per
the prosecution story on 12.4.2020 at about 11.15 pm the
informant and two other persons were plying the truck for
transportation of goods. When they arrived near Bagulaha at



Raniganj some unknown persons blocked the road by car and looted Rs. 10000/- and mobile from informant. Those persons also looted Rs. 10000/- from another truck driver. Meanwhile, seeing the police patrolling team, they escaped. Later the car was found and one Prasadi Mukhiya who was present at the place of occurrence disclosed the name of all the five accused persons along with the petitioner. While search of the said car some identity cards and number plates were seized.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the name of this petitioner has been transpired in the statement of one Prasadi Mukhiya. The petitioner is in custody since 14.10.2020 having no criminal antecedent.

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

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the name of the petitioner has transpired in the statement of one Prasadi Mukhiya, however, the car which was seized by police does not belong to this petitioner, out of five FIR named accused, three of them have been granted bail by the learned Court below, this petitioner has remained in jail since



14.10.2020 and he has otherwise no criminal antecedent, investigation against him is complete but the trial is not likely to be concluded in near future, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria in connection with Raniganj P.S. Case No. 159 of 2020, subject to the conditions 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 is suspected, and

(c) that such persons shall not directly or indirectly make and 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. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands 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'.

