

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.12976 of 2021**

Arising Out of PS. Case No.-389 Year-2019 Thana- DUMRA District- Sitamarhi

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ARUN KUMAR Son of Sahdeo Yadav Resident of Village - Naya Tola
Jurabganj, P.S. - Korha, Distt. - Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chhotelal Mishra, Adv.

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

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

2 16-06-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Petitioner in the present case is seeking regular bail in connection with Dumra P.S. Case No.389/2019 registered for the offences punishable under Sections 356/379 of the Indian Penal Code.

As per the prosecution story the informant alleged that on the date of occurrence i.e. 19.10.2019 when he was coming to his house at Simara chowk by his bicycle after withdrawing Rs.1,90,000/- and reached at grid gate, two motorcycles borne miscreants came behind him and one miscreant snatched the bag



containing the said money and three pass books from the hand of the informant and fled away.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR and he has been falsely implicated in this case even as nothing has been recovered from his possession. Learned counsel submits that he has not been put on TIP and chargesheet has already been filed against him on 16.10.2020. It is submitted that the petitioner has remained in custody in connection with this case for about ten months.

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

Having regard to the facts and circumstances of the case wherein it is submitted that the petitioner is not named in the FIR, he has been falsely implicated in this case even as nothing has been recovered from his possession and he has not been put on TIP, chargesheet has already been filed against the petitioner on 16.10.2020, he has remained in custody in connection with this case for about ten months and prior to the present case he had one case on his head under a minor Section of I.P.C. in which he is on bail, considering all these aspects, 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 Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No.389/2019, 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 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.

(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'.

