

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.13531 of 2021**

Arising Out of PS. Case No.-278 Year-2020 Thana- CHAPRA TOWN District- Saran

PINTU RAI @ PUNTU RAI S/O LAL BABU RAI @ LAL BAHADUR RAY
R/O MOHALLA BICHALA TELPA, P.S CHAPRA TOWN DISTRICT
SARAN

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

2 27-07-2021 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 Chapra Town P.S. Case No. 278 of 2020 registered for the offences punishable under Section 379 of the Indian Penal Code.

As per the prosecution story, the informant who is Branch Manager of Central Bank of India had come to Hathua Market Branch and had parked his motorcycle outside the bank. Around 2.00 pm after completing his work when he came out of the bank he did not find his motorcycle. He searched for his

motorcycle at nearby places but to no avail.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that petitioner is not named in the F.I.R. and nothing has been recovered from the possession of the petitioner. Learned counsel submits that the petitioner is in custody since 26.08.2020.

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

Having regard to the facts and circumstances of the case wherein the petitioner is said to have been remanded in this case, however, no incriminating material has been recovered from the possession of the petitioner, the confessional statement has been extracted in police custody and the petitioner has remained in jail in connection with this case since 26.08.2020, investigation against him is complete and in the cases stated in paragraph '3', he is said to be on bail, this Court directs release of the petitioner on bail on furnishing of 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, Saran at Chapra in connection with Chapra Town P.S. Case No. 278 of 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 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.

This application stands disposed of accordingly.

(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'.