

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.13538 of 2021**

Arising Out of PS. Case No.-158 Year-2019 Thana- RAMNAGAR District- West Champaran

FARMAN MIAN @ FARMAN ANSARI Son of Alijan Miyn Resident of
Village Tuniya, P.S. Manuapul, District - West Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Ms. Renu Kumari, 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 Ram Nagar P.S. Case No. 158 of 2019 registered for the offences punishable under Section 379 of the Indian Penal Code.

As per the prosecution story, the informant went to State Bank of India, Bhaval, Ram Nagar to withdraw money. He parked his motorcycle outside the bank and when he came out of the bank he did not find his motorcycle.

Learned counsel for the petitioner submits that the

petitioner is innocent and has been falsely implicated in this case. It is further submitted that the petitioner is not named in the F.I.R. and nothing has been recovered from his possession. Learned counsel submits that the petitioner is in custody since 30.09.2020.

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 it is the submission of learned counsel for the petitioner that the petitioner was arrested in Ram Nagar P.S. Case No. 218 of 2019 and in the said case police has extracted confessional statement in custody and based thereon the petitioner has been remanded in twelve cases, however, there is no recovery from the possession of the petitioner and the petitioner has remained in custody in connection with this case since 30.09.2020, investigation against him is complete but the trial is not likely to take place in near future, in the circumstances, let the petitioner above named be released 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 Additional Chief Judicial Magistrate-1, Bagaha, West Champaran in connection with Ram Nagar P.S. Case No. 158 of 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.

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'.