

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14604 of 2021**

Arising Out of PS. Case No.-363 Year-2020 Thana- BARAUNI District- Begusarai

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DHARMENDRA KUMAR Son of Mr. Srikant Singh Resident of Village-
Pakri, P.S.- Fatehpur, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate

Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Ram Priya Saran Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 09-09-2021 Heard learned counsel for the petitioner and Mr. Ram
Priya Saran Singh, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Barauni P.S. Case No. 363 of 2020 registered
for the offences punishable under Section 461, 379, 420, 427,
411/34 of the Indian Penal Code. He is in custody since
21.09.2020.

As per the prosecution story, this petitioner and co-
accused Chunnu Kumar were arrested while they were trying to
flee away after extracting some amount from the ATM. From
possession of the petitioner a sum of Rs. 40,000/- has been
recovered whereas from the possession of co-accused a sum of
Rs. 10,000/- was recovered.

Learned counsel for the petitioner submits that from

the seizure list it would appear that a sum of Rs. 40,000/- and one steel instrument which is used in extracting money from ATM have been allegedly seized.

Learned counsel further submits that the co-accused Chunnu Kumar who was also arrested with this petitioner has been granted bail by a learned coordinate Bench of this Court in Cr. Misc. No. 13778/2021 vide order dated 16.08.2021.

As regards criminal antecedents, learned counsel submits that the petitioner had got two cases on his head, however in one of the cases he has been acquitted and in another case he is on bail.

Mr. Ram Priya Saran Singh, learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case wherein the co-accused similarly situated and arrested with the petitioner has been granted bail by learned coordinate Bench of this Court and further that he has remained in custody for almost one year, investigation against him is complete, this Court directs release of the petitioner above named 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, Begusarai in

connection with Barauni P.S. Case No. 363 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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)

Rajeev/-

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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'.