

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14768 of 2021

Arising Out of PS. Case No.-46 Year-2018 Thana- BALIYA District- Begusarai

Adalat Singh, Son of Mohan Singh, Resident of Village - Nagargama, P.S.-
Balua, Distt.- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sandeep Kumar, Sr. Advocate
		Mr. Arvind Kumar, Advocate
For the Opposite Party/s	:	Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 20-09-2021 The matter has been taken up today for consideration
through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard Mr. Sandeep Kumar, learned Senior Counsel
appearing for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Balua
P.S. Case No.46 of 2018 registered for the offence punishable
under Sections 420, 406, 382/34 of the Indian Penal Code.

There is an allegation that the informant's driver
was allured on the pretext of booking his vehicle for



transporting some items. He has later been looted of the vehicle, tied up and left at an abandoned place by several persons.

Mr. Sandeep Kumar, learned Senior Counsel appearing for the petitioner submits that during investigation, the informant has stated that the petitioner and some other persons are responsible for the loot. He submits that such general and omnibus statement has been made without any basis and merely because the petitioner has criminal antecedents. He is on bail in four, out of five cases pending against him since before. Implication in the instant case has not led to any recovery, nor has the petitioner been put on T.I. Parade, though it is the specific case that the Driver was witness to the entire occurrence. The petitioner is in custody since 20.11.2019.

Learned APP for the State has opposed the prayer for bail. It is submitted that the Driver has stated the name of the petitioner.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail



on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Balia P.S. Case No.46 of 2018, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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