

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14437 of 2021**

Arising Out of PS. Case No.-25 Year-2020 Thana- SATHI District- West Champaran

Munna Alam @ Munna Dewan S/O Salauddin Devan @ Salauddin Miyan
R/O Village-Seikh Tola Katahari, P.S-Sathi, District-West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Binay Kumar, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

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

2 17-06-2021 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 Sathi P.S. Case No. 25/2020 arising out of G.R. Case No. 678/2020 registered for the offences punishable under Section 392 of the Indian Penal Code.

As per prosecution story, the informant was posted in Chanpatiya Branch of Bharat Financial Inclusion L.T.D. and while returning to the Branch and reached near Sathi village two unknown persons came there on motorcycle and pushed the motorcycle of the informant and snatched mobile, cash of Rs.



1,22,021/-.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, nothing has been recovered from the possession of the petitioner and he is in custody since 12.05.2020.

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 petitioner is not named in the F.I.R., he was not arrested at the spot and there is no recovery of any incriminating from the possession of the petitioner as also he has not been put on Test Identification Parade, though he is in custody since 12.05.2020, investigation against him is complete but the trial is not likely to be concluded in near future, the two cases stated in paragraph '3' of the application learned counsel submits that petitioner is on bail and he is ready to file an affidavit to this effect in the learned court below if this court directs release of the petitioner on bail in the present case, considering the submissions particularly that the petitioner has remained in jail for over one year and till date he has not been put on T.I.P. and that no incriminating material has been recovered from the



possession of the petitioner, 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 A.C.J.M. - VI, West Champaran at Bettiah in connection with Sathi P.S. Case No. 25/2020 arising out of G.R. Case No. 678/2020, 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.

And further condition that while submitting the bail bond the petitioner shall file an affidavit that in the two cases stated in paragraph ‘3’ of the application he is on bail.

(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’.

