

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14485 of 2021**

Arising Out of PS. Case No.-86 Year-2020 Thana- AUANGARI District- Nalanda

SANTOSH KUMAR Son of Manoj Kumar Mistri @ Manoj Das Resident of
Village - Hilsa, P.S.- Hilsa, Distt.- Nalanda, A/P - Simli Sahdara, Chaitola,
P.S.- Malsalami, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Kumar, Adv.

For the Opposite Party/s : Ms. Pronoti Singh, APP

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

2 22-06-2021 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 Aungari P.S. Case No.86/2020 registered for

the offences punishable under Section 379/34 of the Indian

Penal Code.

Learned counsel for the petitioner submits that the

petitioner is innocent and has been falsely implicated in this

case merely on suspicion. Learned counsel submits that no

incriminating article has been recovered from the conscious



possession of the petitioner. It is submitted that the petitioner has remained in jail in connection with the present case since 22.11.2020 and he has otherwise no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, the nature of the offence alleged and that the petitioner has remained in jail in connection with the present case since 22.11.2020, he has otherwise no criminal antecedent, investigation against him is complete but the trial is not likely to take place in near future, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Shri Sikandar Paswan, J.M.-IV, Hilsa (Nalanda), District-Nalanda in connection with Aungari P.S. Case No.86/2020, 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.

(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'.

