

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16260 of 2021**

Arising Out of PS. Case No.-101 Year-2020 Thana- SONBERSA District- Sitamarhi

RAM NANDAN RAY S/O LATE SANTOSHI RAY R/O VILLAGE
BASATPUR PS SONBARSA, DISTRICT-SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dinesh Jha, Adv.
For the Opposite Party/s	:	Mr.Uday Chand Prasad, APP
For the Informant	:	Mr. Binod Kumar, Adv.

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

2 29-06-2021 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 as well as learned counsel for the informant.

Petitioner in the present case is seeking regular bail in connection with Sonbarsa P.S. Case No.101/2020 registered for the offences punishable under Sections 341, 323, 324, 325, 379, 363, 366(A), 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that this petitioner happens to be the maternal grandfather of the co-accused Shailendra against whom the victim girl has made allegations of kidnapping and rape. The co-accused Shailendra is said to have been granted bail on finding that



he was a juvenile and so far as this petitioner is concerned, no specific allegation has been made against him. It is submitted that the petitioner is said to be 70 years old and is in custody in connection with this case since 06.12.2020.

Learned APP for the State and learned counsel for the informant have 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 this petitioner happens to be the maternal grandfather of the co-accused Shailendra against whom the victim girl has made allegations of kidnapping and rape, co-accused Shailendra is said to have been granted bail on finding that he was a juvenile and so far as this petitioner is concerned, no specific allegation has been made against him, the petitioner is said to be 70 years old and is in custody in connection with this case since 06.12.2020, investigation against him is complete but the trial is not likely to be concluded 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 learned C.J.M., Sitamarhi in connection with Sonbarsa P.S. Case No.101/2020, 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'.

