

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17854 of 2021**

Arising Out of PS. Case No.-179 Year-2020 Thana- BHAGWAN BAZAR District- Saran

Saddam @ Md. Saddam Son Of Md. Kaleem R/O Mohalla- Naibazar, P.S.-
Chapra Town, District- Saran At Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms.Rajani Kumari, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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

2 02-07-2021 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 Bhagwan Bazar P.S. Case No. 179/2020
registered for the offences punishable under Section 457, 380 of
the Indian Penal Code.

As per prosecution story, the present case is lodged
against unknown for committing theft of a Laptop, Smartphone,
Passport etc. and cash of Rs. 4000/- of a foreigner namely Victor
Wicho a citizen of Hungary (Europe) in the night of 10.04.2020
when he was admitted in isolation ward of Corona (Covid-19) in



Sadar Hospital, Chapra.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case only on mere suspicion, he was not arrested on the spot, however he is in custody since 14.04.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the nature of allegations against the petitioner, he is having no criminal antecedent and is in custody in connection with this case since 14.04.2020, 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 of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Sri Sushant Sagar, learned Judicial Magistrate - 1st Class, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 179/2020, 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)

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'.

