

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.18635 of 2021**

Arising Out of PS. Case No.-270 Year-2020 Thana- RAJNAGAR District- Madhubani

RAJA @ RAJA KUMAR SON OF ASHOK YADAV RESIDENT OF
NAYATOLA JURABGANJ, P.S- KODHA, DIST- KATIHAR

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

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

2 02-08-2021 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 Rajnagar P.S. Case No. 270 of 2020 registered for the offences punishable under Section 379 of the Indian Penal Code.

As per the prosecution story, while the informant was returning home after withdrawing Rs. One Lakh from the bank which was kept in the dicky of the motorcycle, on the way he purchased some vegetables and when he returned near his motorcycle he saw dicky of the motorcycle was opened and the

aforesaid money, Aadhar Card etc. were not there.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, there is general and omnibus allegation against the petitioner, however petitioner is in custody in connection with this case since 01.10.2020. Learned counsel submits that petitioner is accused in two cases as stated in paragraph '3' out of which in the case mentioned at serial no. 2 he is on bail, and in the case mentioned at serial no. 1, his prayer for bail is pending.

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 this court has noticed that it is a case under Section 379 of the Indian Penal Code in which the petitioner has remained in custody since 01.10.2020, investigation against him is complete but the trial is not likely to take place in near future, 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. - I, Madhubani in connection with Rajnagar P.S. Case No. 270 of 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'.