

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19449 of 2021**

Arising Out of PS. Case No.-3 Year-2019 Thana- BELA INDUSTRIAL District- Muzaffarpur

SUBHASH THAKUR @ SONU THAKUR S/O RAM NARESH THAKUR
R/o village- Raghunathpur Madhuban, P.S.- Maniyari, District- Muzaffarpur

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

8 07-12-2021 Supplementary affidavit has been filed on behalf of
the petitioner for correction in the bail petition.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Bela P.S. Case
No. 03 of 2019 registered for the offence punishable under
Section 394 of the I.P.C.

According to prosecution case, on 18.01.2019 at about
1:55 P.M., the informant and one Dinesh Rai who were
employees of Pashupati Flour Mills had withdrawn Rs.
9,90,000/- from SBI Mithanpura Branch and proceeded on



motorcycle. Meanwhile, two persons came on a motorcycle and snatched the bag having money and fled away.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. In fact, at the time of occurrence, petitioner was in Delhi. He was supervisor in Nandlal Travels Pvt. Ltd. Learned counsel further submits that petitioner is not named in the FIR. Name of the petitioner came on the basis of confessional statement of co-accused Prashant Gaurav. Nothing has been recovered from possession of the petitioner. Petitioner is in custody since 13.10.2020.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries four criminal antecedent.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Muzaffarpur in connection with Bela P.S. Case No. 03 of 2019, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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.

(Rajesh Kumar Verma, J)

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