

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21014 of 2021**

Arising Out of PS. Case No.-97 Year-2020 Thana- RAUTA District- Purnia

MD. JAWED AKRAM Son of Jamil Akhtar Resident of Village - Palankf,
P.S. - Angrah, District - Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms.Kumari Sudha Sinha, Advocate

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

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

2 05-08-2021 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 Rauta P.S. Case No. 97 of 2020 registered for the offences punishable under Section 392 of the Indian Penal Code

As per the prosecution story, the informant has alleged that he was working as Manager in Bharat Finance Enclution Company Sangam and every Tuesday he used to collect money from Angadh and Rauta. On 01.12.2020 he had collected Rs. 68000/- and proceeded towards Kishanganj,

thereafter two motorcycle riding miscreants stopped him and on the point of pistol the miscreants snatched his bag. The informant further alleged that the miscreants looted away his motorcycle paper, Pan Card, Identity Card, Samsung Tablet and cash of Rs. 68000/-.

Learned counsel for the petitioner submits that the petitioner is not named in the First Information Report, however his confession was extracted by police in which it is alleged that this petitioner was talking to the co-accused from his mobile.

It is further submitted that in course of investigation save and except the confessional statement of the co-accused and of this petitioner which have been extracted in police custody no other material has been brought. There is no Test Identification Parade of the petitioner and no incriminating article has been recovered from him. The only recovery is that of a mobile phone which belongs to the petitioner and in respect of which the invoice number and the date of purchase of the mobile may be found mentioning in the impugned order itself.

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

Considering the aforementioned submissions in which the petitioner has remained in jail since 09.12.2020,

investigation against him is complete, but the trial is not likely to take place in near future and he has otherwise no criminal antecedent, 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 Chief Judicial Magistrate, Purnea, in connection with Routa P.S. Case No. 97 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'.