

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23678 of 2021**

Arising Out of PS. Case No.-143 Year-2020 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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PAPPU KUMAR @ PAPPU SAHNI Son of Uma Shankar Sahni Resident of
Village- Madhuban Kanti, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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

2 04-09-2021 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 Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Kaji Mohammadpur P.S. Case No. 143 of 2020
registered for the offences punishable under Sections 420 and
379 of the Indian Penal Code. He is in custody since
27.07.2020.

Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R.. The matter relates to illegal
withdrawal of Rs. 65,000/- from the bank account of the

informant.

It is submitted that the petitioner has been brought in this case after extracting his confessional statement in police custody when he was arrested in connection with Brahampura P.S. Case No. 143 of 2020.

Learned counsel further submits that the petitioner has got five criminal antecedents, however, he is on bail in all the cases except Kaji Mahammadpur P.S. Case No. 443 of 2018 and Brahampura P.S. Case No. 143 of 2020.

Learned counsel further submits that in the present case there is no T.I.P., hence no identification of the petitioner has taken place. There is no recovery from his possession, still the petitioner is in custody for over one year two months approximately.

On the other hand, learned A.P.P. for the State has opposed the prayer for bail of the petitioner, however, considering the facts and circumstances that the petitioner has been brought in this case on remand from another case after extracting his confessional statement in police custody and there is no recovery from his possession, he has not been identified and has remained in custody for over one year two months approximately, this Court directs release of the petitioner 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 A.C.J.M.-I, (East) Muzaffarpur in connection with Kaji Mohammadpur P.S. Case No. 143 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

This application stands disposed of accordingly.

(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'.