

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23405 of 2021**

Arising Out of PS. Case No.-404 Year-2020 Thana- NAUBATPUR District- Patna

BITTU KUMAR S/O RAM LAKHAN YADAV R/o village- Doghra Itwan,
P.S.- Bihta, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

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

2 31-08-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Nand Kumar, learned APP for the State.

Petitioner in the present case is seeking regular bail in connection with Naubatpur P.S. Case No. 404 of 2020 registered for the offences punishable under Sections 392 of the Indian Penal Code. He is in custody since 8.9.2020.

learned counsel for the petitioner submits that the petitioner has been arrested after one month in connection with the present occurrence in which it is alleged that the tractor of the informant was stopped in the mid way and three unknown

persons intercepted the informant, abused him, thrashed the driver and took away the tractor.

Learned counsel submits that there is no identification of the petitioner and no incriminating article has been recovered from his possession.

It is further submitted that the petitioner was arrested in connection with Naubatpur P.S. Case No. 407 of 2020 and from the said case he has been remanded in three other cases on the basis of confessional statement of co-accused.

It is submitted that co-accused Rahul has been granted bail in Cr. Misc No. 24885 of 2021. The petitioner is on bail in three cases out of four cases stated in Paragraph-3.

Learned APP for the State has though opposed the prayer for bail of the petitioner, considering the facts and circumstances of the case as also that the petitioner has remained in custody in connection with the present case for almost one year, this Court directs release of the petitioner on bail on furnishing bail bonds 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. III, Danapur, Patna in connection with Naubatpur P.S. Case No. 404 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C. as

under:

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 their 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.

The application stands allowed.

(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'.