

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24945 of 2021

Arising Out of PS. Case No.-185 Year-2019 Thana- JANDAHA District- Vaishali

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Anil Rai Son of Lalbabu Roy Resident of Village- Taliya, Banarsi Chowk,
P.S.- Rajapakar, District- Vaishali at Hazipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjan Parihar

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan A.P.P

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 04-08-2021 Heard learned counsel for the parties through video conferencing.

This is 2nd attempt for grant of bail on behalf of petitioner in connection with Jandaha P.S. Case No. 185 of 2019, registered for the offence under Section 395 of the Indian Penal Code. Earlier, vide order dated 09.11.2020 passed in Cr.Misc. No. 28315 of 2020, the prayer for bail of petitioner was rejected.

It is submitted on behalf of petitioner that there is an error on record, as there was no recovery from the possession of petitioner in the present case. In fact, recovery has been made from the possession of petitioner in some other case i.e. Rajapakar P.S. Case No. 200 of 2019, in which, petitioner has already been granted bail by a coordinate Bench of this Court,



vide order dated 02.07.2020 passed in Cr.Misc. No. 21202 of 2020 and petitioner has been remanded in this case on 20.01.2020 from said case i.e. Rajapakar P.S. Case No. 200 of 2019. It is further submitted that two similarly situated co-accused namely Sandeep Rai and Uday Pratap Singh have also been granted bail by this Court, vide order dated 20.08.2020 in Cr.Misc. No. 21204 of 2020 and order dated 14.12.2020 in Cr. Misc. No. 33393 of 2020 (Annexure 3 to the petition).

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 185 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, 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.”

(Prabhat Kumar Singh, J.)

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