

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM OFFICIAL CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.25468 of 2021**

Arising Out of PS. Case No.-501 Year-2020 Thana- RAJAON District- Banka

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RAJESH BIND SON OF SHYAM BIND R/O VILLAGE- CHANGERI, P.S.-
BARAHAT, DIST.- BANKA

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-09-2021 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 Rajoun P.S. Case No. 501 of 2020 registered for the offences punishable under Sections 392 and 411 of the Indian Penal Code. He is in custody since 18.12.2020 and has got no criminal antecedent.

As per the prosecution story on 16.12.2020 the informant was going to his village Gopalpur on motorcycle but near Katariya Bridge three persons surrounded him and on the

point of gun snatched cash Rs. 17,700/- and a Vivo mobile and fled away.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that there is a recovery of looted money of Rs. 5,000/- from the co-accused Arvind Kumar and there is no recovery of any incriminating article from the possession of this petitioner. The petitioner has not been put on T.I.P.

Mr. Akhileshwar Dayal, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the specific submission of learned counsel for the petitioner that the recovery of looted money of Rs. 5,000/- has been made from the possession of co-accused Arvind Kumar, so far as this petitioner is concerned, he has got no criminal antecedent, has not been put on T.I.P. and there is no recovery of any incriminating article from the possession of the petitioner and the petitioner is in custody since 18.12.2020, considering these aspects of the matter, 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 Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No. 501 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'.