

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27658 of 2021

Arising Out of PS. Case No.-586 Year-2020 Thana- NAGAR District- Vaishali

MANTU PRASAD SON OF LATE RAMESH PRASAD Resident of Village
- Tetri Ghat, Khajekla, P.S.- Khajekla, Distt.- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Advocate
For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-10-2021 Heard learned counsel for the petitioner and Md.
Fahimuddin, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Hajipur Town P.S. Case No. 586 of 2020 registered for the offence under Section 392 of the Indian Penal Code. He is in custody since 14.12.2020. He has one criminal antecedent as stated in paragraph '3' of the application in which he is on bail.

As per the prosecution story, on 05.09.2020, while the informant along with her son were going to her sister's house situated at Railway Colony Hajipur on a T.V.S. motorcycle via new Sonpur Gandhak Bridge, in the meantime, some miscreants came there and ordered to stop the motorcycle, thereafter one of the miscreants snatched golden chain and a purse from the informant at pistol point and fled away towards the downward



of the road.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, he is not named in the first information report, the name of the petitioner has come in the confessional statement of the co-accused. Learned counsel submits that petitioner has not been put on test identification parade, however he is in custody since 14.12.2020.

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

Having regard to the un-controverted submission of learned counsel for the petitioner that the name of the petitioner has come in the confessional statement of the co-accused, the petitioner has been remanded in this case from another case but despite the claim of the informant that he can identify the person who had looted away his purse and chain, the petitioner has not been put on Test Identification Parade, no recovery has been made from him and he is in custody since 14.12.2020, investigation against him is complete but the trial is not likely to take place in near future, 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, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 586 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.

(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'.

