

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM OFFICIAL CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.27750 of 2021**

Arising Out of PS. Case No.-467 Year-2020 Thana- RAJAON District- Banka

SUNIL CHOUDHARY Son of Yogendra Choudhary Resident of Village -
Hassanpur, P.S.- Dhoraiya, District - Banka

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Anil Kumar Singh, APP

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

2 22-10-2021 Heard learned counsel for the petitioner and Mr. Anil
Kumar Singh, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Rajoun P.S. Case No. 467 of 2020 registered for the offences punishable under Section 392 of the Indian Penal Code. He is in custody since 04.01.2021 having no criminal antecedent.

As per the prosecution story, while the informant was going to bring milk on his motorcycle, in the meantime, three persons stopped him and looted his Pulsar motorcycle and cash of Rs. 20,000/- on the gun point and fled away.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, he is not named in the F.I.R., however he is languishing in judicial custody since 04.01.2021 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for



regular bail of the petitioner.

Having regard to the submission that the petitioner is not named in the First Information Report, he has no criminal antecedent and there is neither any recovery of any looted article from possession of the petitioner nor he has been put on Test Identification Parade, though the petitioner is in custody since 04.01.2021 and the investigation against him is complete, in the circumstances 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, Banka, in connection with Rajoun P.S. Case No. 467 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'.

