

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM OFFICIAL CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.27355 of 2021**

Arising Out of PS. Case No.-235 Year-2020 Thana- PANDAU District- Madhubani

SHYAM MAHASETH, Son of Late Ram Babu Mahaseth, Resident of Idgah Chowk, Pandaul Bazaar, P.S.- Pandaul, District- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, A.P.P.

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

2 08-10-2021 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. Nand Kishore Prasad, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Pandaul P.S. Case No. 235 of 2020 corresponding to CRI Case No. 1912 of 2020 registered for the offence punishable under Section 414 of the Indian Penal Code. He is in custody since 08.01.2021. Petitioner has got four cases out of which in three cases he is on regular bail whereas in one case he has been granted privilege of anticipatory bail.

Learned counsel for the petitioner submits that the



allegations have been made that the iron articles which were laden on the cart were stolen properties from the industrial area but there is no F.I.R. in respect of any theft and in this case also the F.I.R. has not been registered under Section 379 of the Indian Penal Code.

It is further submitted that the petitioner has been named in the F.I.R. on the basis of confessional statement of co-accused Sanjay Bhandari, the said Sanjay Bhandari has already been granted bail by the learned court below.

Mr. Nand Kishore Prasad, learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case wherein this petitioner has been named in the confessional statement of the co-accused extracted in Police custody and the F.I.R. is not under Section 379 of the Indian Penal Code and further that the petitioner has already spent nine months in custody, investigation against him is complete, this Court directs release of the petitioner above named 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, Madhubani in connection with Pandaul P.S. Case No. 235 of 2020 corresponding to CRI Case



No. 1912 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)

vats/-

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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'.

