

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28497 of 2021

Arising Out of PS. Case No.-927 Year-2020 Thana- MADHAURAH District- Saran

PRAYAG KUMAR @ PRAYAG KUMAR BHARATI Son of Upendra Giri
Resident of Village Repura P.S. Marhowrah District - Saran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-11-2021 Learned counsel for the petitioner undertakes to remove all the defects within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Nityanand, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Madhaura P.S. Case No. 927 of 2020 registered for the offences punishable under Sections 379, 411 of the Indian Penal Code. Petitioner is in custody since 31.01.2021. He has got no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, the motorcycle of the informant was stolen while he parked the same in the market and on information to Police one person was arrested with the motorcycle by Police and it is alleged that two persons managed



to escape and their names have been disclosed by the apprehended person in which name of the petitioner finds place.

Learned counsel for the petitioner submits that the petitioner is innocent. It is submitted that except the disclosure of apprehended accused there is no other material against the petitioner. The petitioner is in custody since 31.01.2021 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 facts and circumstances of the case wherein name of the petitioner has transpired in the confessional statement of the co-accused, he has no criminal antecedent and is in custody since 31.01.2021, 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 bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran in connection with Madhaura P.S. Case No. 927 of 2020, subject to the conditions as laid down under Section 437(3) of the 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.

The application stands allowed.

(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'.

