

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29465 of 2021

Arising Out of PS. Case No.-16 Year-2021 Thana- GRIYAK District- Nalanda

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RATAN KUMAR Son of Gaya Yadav Resident of Village - Bhualchak, P.S. - Warisaliganj, District - Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-11-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Giriyak P.S. Case No. 16 of 2021 for the offence under Sections 393 of the Indian Penal Code.

The petitioner along with three others are said to have assaulted the driver and khalasi of the informant for the purpose of robbery.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, has



falsely been implicated in this case. In fact, the petitioner has been arrested by the police merely on the basis of suspicion. No occurrence as alleged in the F.I.R. has taken place nor any witness has supported the prosecution version. The petitioner is rotting in judicial custody since 12.01.2021.

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

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Nalanda at Bihar Shariff in connection with Giriyak P.S. Case No. 16 of 2021 subject to the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

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.

(Rajesh Kumar Verma, J)

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