

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30196 of 2021**

Arising Out of PS. Case No.-338 Year-2020 Thana- PAROO District- Muzaffarpur

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ASHOK RAI SON OF EKWAL RAI R/O VILLAGE- DAMODARPUR,
P.S.- PAROO, DISTRICT- MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

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

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 13-08-2021 This matter is taken up for consideration through Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in a case registered for the offence punishable under sections 461 and 379 of the Indian Penal Code.

As per prosecution case, unknown miscreant committed theft of Rs 2,50,000/- from the shop of the informant.

Petitioner is not named in the FIR and name of the petitioner transpires on the basis of disclosure made by spy and subsequently, raid was conducted and from the house of the petitioner, Rs 40,500/-, two receipts of Ma Vaishno Hardware and one Khanti were recovered. Petitioner stated that aforesaid amount was not stolen one. In fact, father of this petitioner had sold 1.60 decimal of land and consideration amount of Rs 70,000/- was paid to



him which was recovered from the house of the petitioner. Petitioner has got clean antecedent and is in custody since 25.06.2020.

Learned counsel for the State opposes the prayer for bail.

Considering the period of custody and clean antecedent, this bail application is allowed. Let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate III (West) , Muzaffarpur in Paroo P.S. Case no. 338/2020 on 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.

(Prabhat Kumar Singh, J)

s.hassan/-

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