

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31254 of 2021

Arising Out of PS. Case No.-403 Year-2020 Thana- TEGHRHA District- Begusarai

1. JITENDRA KUMAR RAI S/O YOGENDRA RAI @ YOGI RAI R/O VILLAGE-AJNAUL DHELMARA, WARD NO.11, P.S-DALSINGHSARAI, DISTRICT-SAMASTIPUR.
2. MINTU RAI @ MINTU YADAV S/O RAMASHRAY RAI R/O VILLAGE-AJNAUL, DHELMARA, WARD NO.11, P.S-DALSINGHSARAI, DISTRICT-SAMASTIPUR.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-11-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Teghra P.S. Case No. 403 of 2020 registered for the offences punishable under Section 394 of the IPC.

According to prosecution case, four unknown miscreants assaulted the informant and his friend by means of butt of pistol and took away pickup van of the informant.

Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. Petitioners are not named in the FIR. Name of the petitioners has come in the confessionanl statement of co-accused Prince Kumar. Learned counsel further submits that co-accused Bindan Roy @ Bindan Kumar Roy has been granted bail by a co-ordinate Bench of this court vide order dated 24.11.2021 passed in Cr. Misc. No. 29891 of 2021. Similarly, co-accused Govind Kumar Rai has been granted bail by a co-ordinate Bench of this court vide order dated 02.09.2021 passed in Cr. Misc. No. 33362 of 2021. Petitioners are in custody since 07.01.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No. 403 of 2020, subject to the following conditions:-

1. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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