

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4812 of 2021

Arising Out of PS. Case No.-45 Year-2020 Thana- BIRPUR District- Supaul

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DURGANAND RAM @ DURGANAND DAS Son of Babuji Ram Resident
of Village - Bhagwanpur, Ward No. -3, P.S. - Birpur, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 24-06-2021 Heard Mr. Kamal Kishore Singh, learned counsel for

the petitioner and Mr. Nawal Kishore Prasad, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Sessions Trial No. 116 of 2020 arising out of Birpur P.S. Case

No. 45 of 2020 registered for the offences punishable under

Sections 392, 411, 413 and 120(B) of the Indian Penal Code

1860.

The allegation as per the First Information Report is

that the Scorpio vehicle of the informant was intercepted by

three persons riding on Motorcycle and they snatched the key of

the Scorpio vehicle of the informant and took away along with

them. It has further been alleged that the accused persons also



snatched Mobile phone of the informant and the *Nepali* currency of Rs.19,000/-.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of information received by the Police from the spy. Learned counsel further submits that the Scorpio vehicle in question was recovered from the road side and a seizure list was prepared in which other documents including the insurance paper of the Scorpio vehicle seized were also mentioned. Learned counsel also submits that the petitioner was arrested from his home and the Police with oblique motive has also shown the recovery of the insurance paper of the vehicle from the pocket of the petitioner. The petitioner is on bail in two cases which are mentioned in paragraph-3 of the bail petition. Learned counsel next submits that the petitioner is in custody since 4.3.2020 and the charge sheet has already been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Having heard learned counsel for the parties and taking into consideration the materials on record and the fact that charge sheet has already been submitted in the matter and



the petitioner is in custody since 4.3.2020 and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge VIIth, Supaul, in connection with Sessions Trial No. 116 of 2020 arising out of Birpur P.S. Case No. 45 of 2020 subject to the condition that petitioner shall cooperate in the trial and shall be properly represented on each and every dated fixed by the court and shall remain physically present, as directed by the court below and on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the court below.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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