

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47618 of 2021**

Arising Out of PS. Case No.-278 Year-2020 Thana- CHAPRA TOWN District- Saran

NANDJI SAH S/o Late Jawahir Sah Residence of Village- Naviganj, P.S.-
Bhagwan Bazar, District- Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms.Rajani Kumari, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 15-12-2021 Heard learned counsel for the petitioner 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.

Petitioner seeks bail in connection with Chapra Town P.S. Case No. 278 of 2020 registered for the offences punishable under Section 379 of the IPC.

The FIR of the occurrence of theft of motorcycle is against unknown.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. Learned counsel further submits that the present FIR has been registered against



unknown person. Name of the petitioner has been transpired in the confessional statement of co-accused Vikki Gupta. It is further submitted that co-accused Pintu Kumar has been granted bail by a co-ordinate Bench of this court vide order dated 22.03.2021 passed in Cr. Misc. No. 1996 of 2021. Petitioner is in custody since 07.07.2020.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries five criminal antecedent.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, 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 the learned Judicial Magistrate, Saran at Chapra in connection with Chapra Town P.S. Case No. 278 of 2020, 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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