

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37876 of 2020

Arising Out of PS. Case No.-256 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

Prince Kumar @ Prince Kumar Rai, Son Of Dhan Babu Rai, Resident Of
Village - Bhatauli, P.S. - Nokha, District - Rohtas at Sasaram

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 24-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Mohania
P.S. Case No.256 of 2020 for the offence punishable under
Sections 409, 419, 420, 414, 120B of the Indian Penal Code.

The petitioner is said to have been apprehended from
the National Highway where he was indulging in facilitating the
vehicles carrying illegal sand to cross the barrier set up for
checking.

Counsel for the petitioner submits that having no
criminal antecedents, the petitioner is in custody since
28.08.2020. It is a case of false implication and the money
which has been recovered from the petitioner was in his *bona*
fide possession.



Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 C.J.M., Bhabhua, District-Kaimur, in connection with Mohania P.S. Case No.256 of 2020, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings



regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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