

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39194 of 2020

Arising Out of PS. Case No.-183 Year-2020 Thana- DELHA District- Gaya

ADITYA RAJ @ GOLU KUMAR son of Santosh Kumar Resident of Village-
Gondapur Station Road Near old R.M.S. Gali, P.S.- Nagar Nawada, District-
Nawada at present resident of Bageshwari Gumati, Bindu Gali, P.S.- Delha,
District- Gaya. Petitioner

Versus

THE STATE OF BIHAR Opposite Party

Appearance :

For the Petitioner/s : Mr. Bakshi S.R.P. Sinha, Sr. Advocate
Mr. Vinod Kumar, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 16-03-2021 Learned Senior Counsel for the petitioner undertakes
to remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned Senior Counsel for the petitioner and
Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Delha P.S. Case No. 183 of 2020 registered for
the offence under Section 392 of the Indian Penal Code.

Learned Senior Counsel for the petitioner submits that
as per the prosecution story, while the informant was on way by
his motorcycle having a bag containing Rs. 6,64,000/- to Bank,
he was intercepted by three miscreants and one of them
snatched the bag containing money and fled away.

Learned Senior Counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is in custody since 17.08.2020 but he has not been put on Test Identification Parade.

Mr. Akhileshwar Dayal, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, though the allegation against the petitioner is that he was one amongst the co-accused who had been involved in snatching of the bag and a sum of Rs. 59,000/- has been recovered from his house, on going through the records showing that the petitioner has otherwise no criminal antecedent and he is appearing in some competitive examination in search of a job, investigation against him is complete and at this stage it is not the submission of the State that release of the petitioner is in any way likely to result in tampering with the evidence or interfering with the course of trial, this Court directs the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Smt. Swati Singh, learned Judicial Magistrate 1st Class, Gaya in connection with Delha P.S. Case No. 183 of 2020, subject to the



condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he would cooperate in course of trial by putting his appearance on each and every date fixed in the matter. Two consecutive defaults in putting appearance before the trial court shall invite action towards the cancellation of bail of the petitioner by the court below itself.

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.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

