

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57635 of 2021**

Arising Out of PS. Case No.-122 Year-2020 Thana- PHULWARIYA District- Gopalganj

Prince Rai Son of Ravindra Rai Resident of Village - Bansibatraha, P.S. -  
Phulwariya, District - Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Adarsh Singh, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

3      08-12-2021              Learned counsel for the petitioner undertakes to  
remove all the defects pointed out by the Stamp Reporter within  
four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.  
Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking regular  
bail in connection with Phulwaria P.S. Case No. 122 of 2020  
registered for the offence punishable under Section 394 of the  
Indian Penal Code.

Earlier the prayer for bail of the petitioner was moved  
in Cr. Misc. No. 37186 of 2020 but after noticing that the  
petitioner had not disclosed his criminal antecedents in  
paragraph '3', this Court refused to entertain the said application  
but with liberty to the petitioner to file a fresh application for  
bail giving complete information of his criminal antecedents.



Mr. Adarsh Singh, learned counsel for the petitioner submits that in the order dated 12.07.2021, this Court has duly noticed the allegations against the petitioner being that of giving a stab injury on the thigh of the informant while snatching away his mobile phone, PAN card and cash Rs.6,500/- but at the same time it has been noticed that the informant also hit the petitioner on backside of his head with a tyre lever and the petitioner only somehow saved himself.

Learned counsel for the petitioner submits that police has shown seizure of one knife from the house of the petitioner and a sum of Rs.1,470/- with the motorcycle of the petitioner. Neither the mobile phone nor the PAN card etc. as alleged by the petitioner have been recovered from the possession of the petitioner.

It is his submission that the petitioner has been falsely implicated in this case and in all the 4 cases stated in paragraph '3', the petitioner is on bail. In this case, he is in custody since 25.05.2020.

Mr. Akhileshwar Dayal, learned APP for the State has opposed the prayer for regular bail of the petitioner, however, considering that in connection with the present case, the petitioner has remained in jail for over one and a half year and



in all the 4 cases stated in paragraph '3', he is on bail, let the petitioner above named be released on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Phulwaria P.S. Case No. 122 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C.

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.

And further condition that henceforth once in every two months till conclusion of trial in the present case, the petitioner shall mark his attendance before the S.H.O. of Phulwariya Police Station and shall furnish his place of residence, mobile number and all connected information to the S.H.O. If he is required to go outside the jurisdiction of the police station for staying in connection with his employment or any other work for a longer period, the same will be informed to



the S.H.O. Any fault on the part of the petitioner in abiding by the condition shall invite action towards cancellation of his bail bond and the S.H.O. of Phulwariya Police Station in the District of Gopalganj shall immediately bring it to the notice of the learned court below where the case is pending.

**(Rajeev Ranjan Prasad, J)**

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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'.

