

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5558 of 2021**

Arising Out of PS. Case No.-5 Year-2020 Thana- AKHODHIGOLA District- Rohtas

AJAY YADAV Son of Jagdish Singh Resident of Village - Khairadih, P.S.-
Karakat, Distt.- Rohtas (Sasaram)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

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

2 15-04-2021 Heard learned counsel for the petitioner and Ms. Anita
Kumari Singh, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Town P.S. Case No. 524 of 2020
registered for the offences punishable under Section 386 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
present FIR has been lodged for theft of the informant's tractor
with trolley against unknown.

Learned counsel submits that the petitioner is innocent
and has falsely been implicated in the present case. It is
submitted that the FIR has been lodged against unknown
thieves, recovery of one trolley has been shown from the house



of this petitioner, however, the petitioner has remained in jail in connection with the present case since 11.04.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the submission is that the FIR has been lodged against unknown thieves, recovery of one trolley has been shown from the house of this petitioner, however, the petitioner has remained in jail in connection with the present case since 11.04.2020, investigation against him is complete and prior to the present case he had no criminal antecedent, 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 C.J.M., Begusarai, in connection with Town P.S. Case No. 524 of 2020, subject to the conditions 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 is suspected, and

(c) that such persons shall not directly or indirectly make and 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 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 allowed.

(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'.

