

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5554 of 2021**

Arising Out of PS. Case No.-524 Year-2020 Thana- BEGUSARAI TOWN District- Begusarai

ANUKESH KUMAR Son of Manoj Kumar Jha Resident of Village- Harraikh,
P.S.- Town, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

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

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

2 15-04-2021 Learned 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 counsel for the petitioner and learned
A.P.P. for the State.

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 as per the prosecution story, when the informant was indulged in selling helmet beside the road the petitioner and others came there and asked the cost of helmet on which the informant told



the cost of one helmet is Rs. 500/- on which the accused persons indulged in abusing the informant and demanded Rs. 1,000/- on the point of knife. It is further alleged that the purse of the informant was snatched by the accused persons and in the meantime when the accused persons were fleeing, the petitioner was apprehended on chase.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that neither the purse nor the knife has been recovered from the possession of this petitioner. Learned counsel submits that the petitioner has got no criminal antecedent and he is in custody since 06.10.2020.

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, wherein the submission of the learned counsel for the petitioner is that on trivial issues and quarreling over purchase of helmet, present occurrence is said to have taken place, however, from the possession of this petitioner neither the purse nor the knife has been recovered, the petitioner has otherwise no criminal antecedent and has remained in jail in connection with the present case since 06.10.2020, investigation against him is



complete and further incarceration of the petitioner in jail is not likely to come in aid of investigation or prosecution, let 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 learned C.J.M., Begusarai in connection with Town P.S. Case No. 524 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 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.

This application stands disposed of accordingly.

(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'.

