

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5870 of 2021

Arising Out of PS. Case No.-203 Year-2020 Thana- BUDDHACOLONY District- Patna

RAJA KUMAR Son of Krishna Kumar Sahani Resident of Village - Arya
Kumar Road, Machhua Toli, P.S.- Kadamkuan, Dist.- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Niranjana Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-03-2021 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 Buddha Colony P.S. Case No. 203 of 2020
(G.R. No. 4999 of 2020) registered for the offences punishable
under Sections 356 and 379 of the Indian Penal Code.

As per the prosecution story, when the son of the
informant was going towards Chakaram Shiv Mandir, two
persons on motorcycle came and snatched his mobile and fled
away towards Krishna Nagar.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. It is further submitted that the petitioner has got no criminal antecedent and is in custody since 06.09.2020.

Learned A.P.P. for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, the nature of offence, the fact that the petitioner has no criminal antecedent, he is suffering from some disease and has remained in custody in connection with this case for over six months, investigation against him is complete and the trial is not likely to be concluded in near future, the further incarceration of the petitioner 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 A.C.J.M.-II, Patna in connection with Buddha Colony P.S. Case No. 203 of 2020 (G.R. No. 4999 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.

The 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'.

