

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.7210 of 2021**

Arising Out of PS. Case No.-175 Year-2019 Thana- ABADPUR District- Katihar

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UJJAWAL DAS SON OF KALU DAS R/O VILLAGE- MATAURAPUR,  
P.S. ABADPUR, DISTRICT- KATIHAR

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Ajit Kumar Singh,Advocate

For the Opposite Party/s : Mr.Anuj Kumar Srivastava,APP

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

2      29-04-2021                      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. Anuj Kumar Srivastava, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Abadpur P.S. Case No. 175 of 2019 registered for the offences punishable under Sections 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the prosecution story, the allegation against the petitioner is of robbing the informant with the help of two other miscreants while the informant was on his way.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has not been put in TIP and no incriminating material has been recovered from his possession. The



petitioner is in custody in connection with the present case since 22.07.2020.

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 it is the submission of learned counsel for the petitioner that the petitioner has been falsely implicated in this case, the petitioner does not know to speak Hindi language whereas according to the informant the miscreants were speaking in Hindi, the petitioner is in custody in connection with this case since 22.07.2020 but till date he has not been put on TIP and there is no identification of the petitioner, otherwise no incriminating material has been recovered from his possession, investigation against him is complete, in two cases which are there against the petitioner he is on bail, there being no submission on behalf of the State that release of the petitioner at this stage is likely to result in tampering with evidence or interfering with the course of trial, this Court directs release of the petitioner above named 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 learned J.M. 1<sup>st</sup> Class, Katihar, in connection with Abadpur P.S. Case No. 175 of 2019, 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'

