

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.8834 of 2021**

Arising Out of PS. Case No.-360 Year-2020 Thana- KHAJANCHI HAT District- Purnia

LALU ANSARI Son of Kamal Ansari Resident of Village- K. Hat Thana
Chowk Housing Colony, Ward No. 14, P.S.- K.Hat, District- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr.Bharat Lal, APP

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

2 03-05-2021 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 learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with K. Hat (Sahayak) P.S. Case No. 360/2020 registered for the offences punishable under Sections 411, 413 and 414/34 of the Indian Penal Code.

As per the prosecution story, while the informant was on patrolling duty along with other police personnel reached at Mithila Marriage Hall, he saw that a person was coming on a motorcycle from Political Chowk. It is alleged that after seeing the police force the said person tried to escape but on chase he was caught by the police personnel. It is further alleged that on disclosure made by the



said apprehended person, the police party raided the house of several accused persons including this petitioner and from the house of petitioner one Glamour motorcycle without having registration number has been recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. Learned counsel submits that the name of the petitioner has transpired in the confessional statement of the co-accused and there is no recovery from the conscious possession of the petitioner. It is submitted that the petitioner has remained in jail in connection with this case since 16.07.2020.

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 alleged that the stolen motorcycle has been recovered from possession of the petitioner, however he has remained in jail in connection with this case since 16.07.2020, investigation against him is complete, except the present case he had got one case on his head in which he is said to be on bail, this Court directs release of the petitioner above named on bail on furnishing 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, Purnea, in connection with K. Hat (Sahayak) P.S. Case No. 360/2020, 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'.

