

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14690 of 2021**

Arising Out of PS. Case No.-74 Year-2020 Thana- PIRO District- Bhojpur

JITENDRA KUMAR S/O KRISHNA SINGH R/O VILLAGE-ANAITH,
P.S.-ARA NAWADA, DISTRICT-BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Adv.

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

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

2 24-06-2021 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 Piro P.S. Case No.74/2020 registered for the offences punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the FIR is against unknown and the name of the petitioner has transpired in the statement of a spy. Learned counsel submits that the petitioner has not been put on TIP and no looted article is said to have been recovered from the possession of the petitioner. It is submitted that the petitioner has remained in jail in connection with this case since



14.05.2020.

Learned APP 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 wherein it is the submission of learned counsel for the petitioner that the FIR is against unknown, the name of the petitioner has transpired in the statement of a spy and from the possession of the petitioner a mobile and a pistol has been recovered, for recovery of the pistol Piro P.S. Case No.80/2020 is said to have been lodged, however, learned counsel for the petitioner submits that in paragraph '3' due to typographical omission he has not stated about the provisions of the Arms Act under which Piro P.S. Case No.80/2020 has been registered, considering that the present case is one under Section 392 IPC and the petitioner has remained in jail in connection with this case since 14.05.2020 and during this period the petitioner has not been put on TIP and no looted article is said to have been recovered from the possession of the petitioner, investigation against him is complete but the trial is not likely to be concluded in near future, let the petitioner above named be released on bail on furnishing bail bond 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, Bhojpur at Ara in connection with Piro P.S. Case No.74/2020, 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.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--

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'.

