

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.8848 of 2021**

Arising Out of PS. Case No.-3 Year-2020 Thana- DHAKA District- East Champaran

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Ajeet Anand @ Bittu Kumar, S/O Srisadan @ Shivsadan Sah @ Shri Sadan Sah, R/O Village Bairiya, P.S-Kundwa Chainpur, District-East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

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

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

4 13-08-2021 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 Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Dhaka (Pachpakari) P.S. Case No. 03 of 2020 registered for the offence punishable under Section 392 of the Indian Penal Code. He is in custody since 28.08.2020.

Learned counsel for the petitioner submits that the name of the petitioner has transpired in the confessional statement of the co-accused, however, till date neither the petitioner has been put on Test Identification Parade nor any

incriminating article has been recovered from the possession of the petitioner.

Learned counsel further submits that the petitioner has got three criminal antecedents but he is on bail in all the three cases.

Mr. Akhileshwar Dayal, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner but does not controvert the submission made on behalf of the petitioner.

In the circumstances stated above, this Court directs release of the petitioner above named 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 S.D.J.M., Sikrahana at Dhaka, East Champaran in connection with Dhaka (Pachpakari) P.S. Case No. 03 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.

(Rajeev Ranjan Prasad, J)

vats/-

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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'.