

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.10694 of 2021**

Arising Out of PS. Case No.-629 Year-2020 Thana- KHAGARIA District- Khagaria

=====

VIKKI PASWAN SON OF NAGO PASWAN VILLAGE- LOHIA NAGAR,
P.S.- CHITRAGUPTA NAGAR, DISTRICT- KHAGARIA.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

=====

Appearance :

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

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-05-2021 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 Khagaria (Muffasil) P.S. Case No. 629 of 2020, G.R. No. 2590 of 2020 registered for the offences punishable under Sections 461, 379 and 411 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the prosecution story, the informant had reported that on 30.08.2020 at 3.00 AM rice of MDM School was being stolen and in the meantime with the help of co-villager Munna Verma the thief was caught with ten bags of rice on e-rickshaw and the same was handed over to the police.



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 is the driver of the e-rickshaw and he was driving the e-rickshaw on hire basis. The alleged seizure of ten bags of rice on the e-rickshaw is by villagers. Learned counsel submits that the petitioner is in custody since 30.08.2020 having no criminal antecedent.

Learned A.P.P. 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 alleged seizure of ten bags of rice on the e-rickshaw is by villagers who had handed over the same to the police along with the petitioner, the petitioner is driver of the e-rickshaw and he was driving the e-rickshaw on hire basis, he has remained in jail in connection with the present case since 30.08.2020 and prior to the present case he had no criminal antecedent, 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 Shri Dipak Kumar-V, learned Judicial Magistrate, 1st Class, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 629 of 2020, G.R. No. 2590 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.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

arvind/Rishi-

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'.

