

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1989 of 2022

Arising Out of PS. Case No.-9 Year-2021 Thana- LUTUA District- Gaya

1. Deo Narayan Ram S/O Khakhanu Ram R/o village- Mahuli, P.S.- Hathori, District- Muzaffarpur
2. SHYAM BABU RAM S/O NARAYAN RAM R/o village- Banjaria, P.S.- Madhuban, Distt.- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh, Adv
For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 216,353,120(B),34 of the Indian Penal Code and Sections 17,18,19,20 of U.A.P. Act.

The prosecution case, in short, is that the informant has received an information that family members of naxalities Ram Babu Ram and Vineeta Bharti are going to meet with the naxalites with the food items cloths medicine etc. The informant



alongwith other police personnel proceeded for necessary action, in the meantime he also received another information that the said persons are present in the house of Naresh Yadav. The police personnel conducted raid in the house of Naresh Yadav and recovered the articles as mentioned in the seizure list.

Learned counsel appearing for the petitioners submits that petitioner No.1 has clean antecedent. Petitioner No.2 carries one more case other than the present one. He further submits that it appears from the FIR that nothing incriminating article has been recovered from conscious possession or house of the petitioners. It appears from the seizure list that Ayurvedic medicine and other household articles have been recovered from possession of the petitioners and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 25.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection



with Lutua Police Station Case No.09 of 2021, with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

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