

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19786 of 2021

Arising Out of PS. Case No.-639 Year-2019 Thana- DIGHA District- Patna

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Amar Kumar @ Munsii @ Amar Kumar @ Munshi Son Of Late Vinod Mahto
@ Vinod Singh Resident Of Ramji Chak Brahmsthani Gali, Police Station-
Digha, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Adv

For the Opposite Party/s : Mr.A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 07-01-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Digha
P.S.Case No.639 of 2019 registered for the offence under
Section 457,380 of the Indian Penal Code.

The prosecution case, in short, is that the informant
has built a house in Mithila Colony, Patna. On the occasion of
Chhath Puja, he alongwith his family had gone to his native
place Chhapra. On 07.11.2019, he received a call from his
neighbour that theft has been committed in his house. As such,
he rushed to Patna and found all his belongings thrown on the
ground. He also said that a sum of Rs.10,000/- besides 20 Gram
Gold, silver Chain etc. has been taken away by the miscreants.



Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. He has falsely been implicated in the present case by the police. He further submits that the name of the petitioner has been transpired in this case only on the basis of self-confessional statement of the petitioner. Petitioner is in custody since 23.09.2020.

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

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna in connection with Digba P.S.Case No.639 of 2019 with the following conditions:-

(1) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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 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.

(Rajesh Kumar Verma, J)

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