

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10590 of 2022

Arising Out of PS. Case No.-270 Year-2021 Thana- HUSSAINGANJ District- Siwan

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HASNAIN RAY @ HASNAIN RAY Son of Late Ahmad Ray @ Ahmad Ali
Resident of Village - Chhapia Bujurg, P.S.- Hussainganj, Distt.- Siwan, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 26-07-2022 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.

A supplementary affidavit has been filed on behalf of the petitioner, which is kept on record.

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

Petitioner seeks bail in a case registered for the offence punishable under Sections 411,413,414 of IPC.

One stolen truck and number of articles have been recovered from the scrapyard of the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that in fact the petitioner was



remanded in three cases after institution of the present FIR on 01.11.2021 and the cases mentioned in para-3 of the bail petition that the remaining in two cases he has not been remanded. He further submits that as per FIR and seizure list that one stolen truck and number of articles has been recovered from the scrapyard of the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the similarly situated co-accused, namely, Akash Kumar and Dhurendhar Sah have been granted bail by the learned court below itself and the petitioner is in custody since 01.11.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries five more cases other than the present one.

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 Court below where the case is pending in connection with Hussainganj P.S. Case No.270 of 2021, 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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