

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28650 of 2021

Arising Out of PS. Case No.-321 Year-2020 Thana- DIGHA District- Patna

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RAMESH SAO @ RAMESH SAW @ BITAN SAO Son of Asharphi Saw
Resident of Village - Digha Hat, Post office Road, Digha, P.S.- Digha, in the
distr. of Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Adv

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-06-2022 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 petitioner and learned

Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case

registered for the offences punishable under Sections

419,420,467,468,471 of the Indian Penal Code.

The prosecution case in short is that the accused

persons encroached upon the government land.

Learned counsel for the petitioner submits that in fact

the land in question does not belong to the petitioner rather the

land in question belongs to one Akshay Lal Sao and on



instruction of Akshay Lal Sao, the petitioner used to cultivate the part of the land and the name of the petitioner has transpired on the basis of suspicion and the similarly situated co-accused persons, namely, Shanker Sao @ Shankar Kumar Gupta and Dablu Sao @ Bablu Kumar have been granted anticipatory bail vide order dated 01.12.2021 by a Coordinate Bench of this Hon'ble Court in Cr. Misc. No. 8331 of 2021.

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

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Digha P.S.Case No.321 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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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