

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21070 of 2022

Arising Out of PS. Case No.-547 Year-2020 Thana- GARDANIBAG District- Patna

Rahul Dom @ Rahul Ram, Son of Late Mundrika Ram, R/O- Yarpur,
Ambedkar Colony P.S.- Gardanibagh, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-07-2022 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Rajeev Ranjan learned counsel appearing on behalf of the petitioner and the learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Gardanibagh P.S. Case No. 547 of 2020 registered for the offences punishable under Sections 379/356 of the Indian Penal Code.

As per prosecution case, it is alleged that while the informant along with her husband were going on scooty, in the meantime, two persons came on a motorcycle and snatched her purse and fled away.

It is submitted by the learned counsel appearing on behalf of the petitioner that the F.I.R. has been instituted against



unknown person, however, the petitioner was arrested in connection with Gardanibagh P.S. case no. 533 of 2020, thereafter he has been remanded in the present case and his self-confession was recorded. It is next submitted that there is no eye witness to the alleged occurrence and, moreover, nothing incriminating material or any looted article has been recovered from the possession of this petitioner and further he has neither been identified nor put on Test Identification Parade. The petitioner is in custody since 02.09.2021.

On the other hand, learned counsel for the State vehemently opposes the bail application and submits that the petitioner has multiple criminal antecedent, as mentioned in para.3, which shows that the petitioner is a habitual offender.

Having regard to the submissions made on behalf of the parties and considering the fact that the petitioner has neither been identified nor put on T.I.P. and moreover, no incriminating material has been recovered and save and except the criminal antecedent of the petitioner no other material has come, which suggests the complicity of the petitioner in the present crime, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Patna in connection



with Gardanibagh P.S. Case No. 547 of 2020, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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