

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.22401 of 2022

Arising Out of PS. Case No.-1 Year-2022 Thana- RAJGIR District- Nalanda

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PRADEEP MALI, S/o Jagan Mali, R/o- Inaypur, P.S. - Sheikhpura, Distt.-
Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek, Advocate
For the Opposite Party/s : Mr.Murli Dhar, App

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 18-07-2022 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 379/411/34 of the Indian
Penal Code.

Allegation against the petitioner is of having stolen the
purse of one Gautam Kumar Singh near Rajgir Kund, a tourist
place. The purse of the aforesaid Gautam Kumar Singh
contained his Aadhar Card and Rs. 300/-. Petitioner is also
alleged to have been in drunken condition, while committing the
offence, for which a separate FIR has also been filed.

It has been submitted on behalf of the petitioner that

he is innocent and has falsely been implicated in this case.

Petitioner has one criminal antecedent under Excise Act bearing Rajgir P.S. Case No. 02/20022 for same incident and he has been remanded in this case on 17.01.2022.

However, on the other hand, learned APP submits that petitioner along with his other accomplice used to steal the purse and other things of the tourists, which does not cost the concerned persons but also defame the tourist place.

Considering the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail at this stage. Hence the prayer for bail of the petitioner is hereby rejected.

However, **after framing of charges**, the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Rajgir P.S. Case No. 01/2022, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

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

(S. Kumar, J)

Sanjay/-

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