

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31517 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- CHAND District- Kaimur (Bhabua)

Ghasi Ray @ Ghasi Rajbhar, S/o Bechan Rajbhar @ Bechan, R/o village-
Illiya, P.S.- Illiya, District- Chandauli (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Md. Mustaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

5 04-02-2022 The applicant/accused in Crime No. 47 of 2020 registered with Chand Police Station for the offences punishable under Sections 457 and 380 of the Indian Penal Code, by this application is seeking his release on bail during pendency of the trial.

Heard the learned counsel appearing for the applicant/accused. He argued that the incident allegedly took place on 28/29.02.2020 whereas the FIR was lodged belatedly on 04.05.2020 without disclosing any reason for delay. It is further argued that nothing was recovered from the applicant who is having clean antecedent.

The learned Additional Public Prosecutor opposed the application by contending that villager named Dilshad Khan has stated that all accused persons have accepted their



guilt before the Panchayat and this evidence of the extra judicial confession implicate the applicant in the subject crime.

I have considered the submissions so advanced and also perused the material placed before me.

It is alleged that the applicant is apprehended on the basis of confessional statement of Anil Kumar @ Anil Keshari. This Anil Kumar @ Anil Keshri is already directed to be released on bail by a coordinate Bench of this Court. Nothing is recovered from the applicant. The applicant is not having any criminal antecedents. He is behind the bars from last 14 months.

The investigation of the subject crime is over and the charge sheet has been filed. I see no reason to deny bail to the applicant and hence, the order :-

- i. The application is allowed.
- ii. The applicant/accused in Crime No. 47 of 2020 registered with Chand Police Station be released on bail on executing P.R. bond of Rs.15,000/- (Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the



facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

Bhardwaj/-

(A. M. Badar, J)

U		T	
---	--	---	--

