

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34646 of 2021**

Arising Out of PS. Case No.-123 Year-2020 Thana- BUXAR MUFFSIL District- Buxar

NANDJEE RAJBHAR S/o Sipahi Rajbhar @ Sipahi Bhar Resident of  
Village- Sondhila, P.S.- Buxar (M), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arun Kumar Gupta, Adv.

For the Opposite Party/s : Mr.APP.

**CORAM: HONOURABLE MR. JUSTICE A. M. BADAR**

ORAL ORDER

5      10-05-2022                      The applicant/accused in Crime No. 123 of 2020 registered with Buxar (M) Police Station for the offences punishable under Sections 380, 414, 411 of the Indian Penal Code, by this application is seeking his release on bail during pendency of the trial.

Heard both sides.

According to the prosecution case, on and after 14.04.2020, the applicant had committed theft at the dwelling house of first informant Sunita Yadav. He has stolen the television set so also the ornaments and other articles from the house of first informant Sunita Yadav.

Perusal of the case diary shows that the applicant is implicated in the crime in question on the basis of his own confessional statement recorded in Crime No. 134/ 2020. It is



not pointed out that confessional statement of the applicant recorded in some other offence has yielded in some recovery which is attributable to the stolen articles in the subject FIR.

Considering the nature of evidence against the applicant as well as the fact that he is behind bars since 30.06.2020, his further pre-trial detention is not warranted and therefore the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 123 of 2020 registered with Buxar (M) Police Station for the offences punishable under Sections 380, 414, 411 of the Indian Penal Code, 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.

**(A. M. Badar, J)**

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