

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33625 of 2021**

Arising Out of PS. Case No.-127 Year-2020 Thana- BELA District- Sitamarhi

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RAM JEE MANDAL S/o- SATYA NARAYAN MANDAL Resident of
Village- Naranga, P.S.- Bela, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 04-01-2022 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 the

learned A.P.P. for the State.

A supplementary affidavit, carrying out necessary

correction in the main application, has been filed on behalf

of the petitioner, which forms part of this application.

The petitioner seeks bail in connection with Bela

P.S. Case No. 127 of 2020 registered for the offence under

Sections 395 of the Indian Penal Code and Section 3/4 of the

Explosive Substances Act.

The case relates to theft of cash of Rs. 6,00000/-



along with ornaments and household electronic items from the house of the informant.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. He further submits that after institution of the present case, the police inspected the place of occurrence but neither any stolen articles nor any explosive substance have been recovered from the conscious possession of the petitioner. Moreover, the police after investigation has submitted charge sheet against the petitioner under Section 395 of the Indian Penal Code and Section 3/4 of the Explosive Substance Act. The petitioner is rotting in judicial custody since 29.11.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 S.D.J.M., Sadar, Sitamarhi in connection with Bela P.S. Case No. 127 of 2020 with the 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 canceled 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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