

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34703 of 2021

Arising Out of PS. Case No.-81 Year-2020 Thana- GADHPURA District- Begusarai

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KHELARI ROY @ DHIRAJ ROY Son of Ramanand Roy @ Umesh Rai
Resident of Village - Gauridih, P.S.- Khodawandpur, (Chhourahi O.P.), Distt.-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 10-01-2022 The matter has been taken up today for
consideration through video conferencing.

Heard learned counsel for the petitioner and
learned APP for the State.

This Court would expect that the petitioner's
counsel would honour his undertaking in the instant proceedings
regarding supply of requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Gadhpura
P.S. Case No. 81 of 2020 registered under Section 395 of the
Indian Penal Code.

One *Bolero*, some cash and other articles have been
looted by five unknown persons.



Learned counsel for the petitioner submits that one Sharvan Kumar was arrested in connection with Hasanpur P.S. Case No. 236/2020. In his confessional statement recorded in police custody having no evidentiary value he has named the petitioner. On that basis, he has also been remanded in this case where he is in custody since 08.02.2021. The submission is that neither there is any recovery of incriminating materials from the petitioner nor he has been put on T.I. Parade.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in Gadhpura P.S. Case No. 81 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the



address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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