

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41344 of 2021

Arising Out of PS. Case No.-414 Year-2020 Thana- UDWANTNAGAR District- Bhojpur

Jai Prakash Singh, S/o Late Ram Raj Singh R/O Village - Dharhara, P.S. - Ara
Town, District - Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, Adv.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-01-2022 The matter has been listed today for consideration
through virtual mode.

Heard learned counsel appearing on behalf of the
petitioner as well as learned Additional Public Prosecutor
appearing for the State.

Let the defect(s) be removed within two weeks of
the complete start of the physical Court in normal course.

Petitioner who is in custody since 18.05.2021 seeks
regular bail in connection with Udwant Nagar P.S. Case No.414
of 2020 registered for the offence punishable under Sections
457, 380 of the IPC.

Prosecution case in brief, is that while the
informant Krishna Singh was sleeping in his new house on
31.10.2020, unknown person committed theft in his house cash
of rupees ten thousand, gold ring and some cloths and small size



mobile phone stolen away by some unknown miscreants.

Learned counsel appearing on behalf of the petitioner submits no one has seen the petitioner to have committed theft in the house of the informant. Petitioner is in custody since 18.05.2021 and nothing has been recovered from his possession. Petitioner has clean antecedent. Petitioner is the only sole bread earner of his family.

Learned APP for the State, however, opposes the prayer for grant of bail to the petitioner on the ground that stolen mobile has been recovered from the possession of the petitioner.

Considering the above-mentioned facts and circumstances of the case, period of custody as well as the specific statement of the petitioner that the said mobile was given by brother-in-law as well as there is no allegation of tampering the evidence or influencing the witnesses and trial is also not likely to be concluded soon due to COVID-19, the petitioner above named, be released on provisional bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned CJM, Bhojpur at Ara in connection with Udwant Nagar P.S. Case No.414 of 2020, subject to the 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.

(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.

(Purnendu Singh, J)

Prakash Narayan /-

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