

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38282 of 2022

Arising Out of PS. Case No.-766 Year-2020 Thana- ALAMGANJ District- Patna

Shashi Kumar Son of Sri Ramnath Prasad, Resident of Purvi Nandgola, P.S.-
Malsalami, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Singh
For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 411 and 414 of the Indian
Penal Code and Sections 20 and 22 of the N.D.P.S. Act.

Learned counsel for the petitioner submits that earlier
the petitioner has been granted bail by this Court vide order
dated 07.02.2022 passed in Cr. Misc. No. 32444 of 2021 with a
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.



Learned counsel for the petitioner submits that due to communication gap the petitioner has not furnished the details of his criminal antecedents at the time of the filing of first bail application. He further submits that it appears from the F.I.R. as well as seizure list that no incriminating article has been recovered from the conscious possession of the petitioner and only one gold ring has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 16.12.2020.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries six criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Alamganj P.S. Case No. 766 of 2020 (Spl. Case No. 171 of 2020), subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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)

mdrashid/-

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

