

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49330 of 2021**

Arising Out of PS. Case No.-401 Year-2020 Thana- ARWAL District- Jehanabad

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GULI @ GULI BHAGAT, Son of Krishna Bhagat @ Bol Bhagat Resident of
Village- Arwal Sipah, P.S. and District- Arwal.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 08-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner, who is in custody since 07.12.2020,
seeks regular bail in connection with Arwal P.S. Case No. 401 of
2020, for the offence punishable under Sections 379/414 of the
Indian Penal Code.

The prosecution case, in brief, is that petitioner along
with his associates were noticed cutting grill of window of third
floor of Md. Saif with the help of gas cutter and 5-6 boys were
standing on the ground near the same building. On chase,
Nawab Alam was apprehended, however, petitioner and other
co-accused managed to flee away from there.Co-accused Nawab
Alam confessed his guilt and in his confessional statement has



named the petitioner.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in this case. He further submits that the name of petitioner has been roped in this case on the basis of confessional statement of co-accused Nawab Alam. The petitioner has nothing to do with the alleged offence and he has been roped in the present case due to enmity as one case is pending against him in which he has already been released on bail. The petitioner is in custody since 07.12.2020.

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

Considering the aforementioned facts and circumstances of the case, without going into the merits of the case considering the period of custody and there is no allegation of tampering the evidence or influencing the witnesses against the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Arwal, in connection with Arwal P.S. Case No. 401 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The Court below is directed to verify the criminal antecedent of the petitioner and if the petitioner is found accused in any other case, as mentioned in paragraph No.3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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