

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56060 of 2021

Arising Out of PS. Case No.-215 Year-2021 Thana- BIHIA District- Bhojpur

SANJAY GOND Son of Haluwa Gond @ Suraj Gond Resident of Village -
Katea, P.S. - Bihiya, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv.

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-01-2022 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 through video conferencing.

The petitioner seeks bail in connection with Bihiya P.S. Case No. 215 of 2021 registered for the offence under Sections 379 and 411 of the Indian Penal Code.

The case relates to theft of house hold articles from the under constructed house of the informant.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. In fact, nothing incriminating article



has been recovered from the conscious possession of the petitioner. Although seizure list to the extent of 30 Kg of iron rod has been prepared, but the seizure list does not contain the signature of the petitioner. The seizure list itself shows that no recovery has been made from the possession of the petitioner. The petitioner is rotting in judicial custody since 09.06.2021.

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 Chief Judicial Magistrate, Bhojpur at Ara in connection with Bihiya P.S. Case No. 215 of 2021 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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