

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52826 of 2021**

Arising Out of PS. Case No.-500 Year-2020 Thana- NARPATGANJ District- Araria

KULANAND BAHARDAR S/O HARINARAYAN BAHARDAR R/o
village- Fatehpur, P.S.- Narpatganj, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Mithlesh Kumar Khare,APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 22-02-2022 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 four weeks of start of normal functioning of the physical court.

A supplementary affidavit, carrying out necessary correction in the main petition, has been filed on behalf of the petitioner, which is kept on record.

Petitioner seeks bail in connection with Narpatganj P.S. Case No. 500 of 2020 registered for the offences punishable under Section 392 of the IPC.

When the informant was coming C.S.P centre, four unknown miscreants on a gun point have snatched the motorcycle and his bag containing one laptop, mobile and



Rs.1,90,000/- lakhs and fled away on their motorcycle.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and he has falsely been implicated in the present case. It is further submitted that name of the petitioner has been transpired in confessional statement of co-accused Sunil Kumar Thakur. No incriminating article has been recovered from possession of the petitioner or from his house. Learned counsel further submits that it is alleged that Rs. 20,500/- has been recovered from the house of the petitioner but the real fact is that the recovered cash belongs to petitioner's family. He further submits that co-accused Sunil Kumar Thakur has been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 26.10.2021 passed in Cr. Misc. No. 24338 of 2021. Petitioner is in custody since 24.06.2021.

The learned Additional Public Prosecutor vehemently opposed the prayer of bail on the ground that petitioner carries nine criminal antecedent.

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 Additional Chief Judicial Magistrate-VI, Araria in connection with



Narpatganj P.S. Case No. 500 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)

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