

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55308 of 2021

Arising Out of PS. Case No.-297 Year-2021 Thana- RUNISAIDPUR District- Sitamarhi

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MUKESH SAH, S/O HARI SAH, R/o village + P.S.- Runnisaidpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-01-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State in virtual court proceeding.

Let the defect(s), as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Runnisaidpur P.S. Case No. 297 of 2021 registered for the offences punishable under Sections 461 and 379 of the Indian Penal Code.

In the instant case accused persons stolen Rs.2,50,000-3,00,000/- from the shop of the informant after breaking the shutter.

Learned counsel for the petitioner submits that the petitioner has got clean antecedent and he has falsely been



implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and his name transpired in this case on the basis of his self confessional statement. He further submits that nothing has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 18.05.2021.

The learned Additional Public Prosecutor opposed the prayer of bail of the petitioner.

Considering the aforesaid facts and circumstances as well as period of custody, 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 Chief Judicial Magistrate, Sitamarhi in connection with Runnisaidpur P.S. Case No. 297 of 2021 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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