

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59756 of 2021

Arising Out of PS. Case No.-251 Year-2020 Thana- VAISHALI District- Vaishali

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NARESH KHALIFA Son of Ram Chandra Khalifa Resident of Village -
Totaha, P.S.- Lalganj, District - Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-02-2022 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
Vaishali P.S. Case No. 251 of 2020 registered for the offence
under Sections 395 of the Indian Penal Code.

Six miscreants are said to have looted ornaments
and cash of Rs.20000- 25000/- from the 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, the F.I.R. has been registered against unknown persons but the name of this petitioner has transpired in this case only on the basis of his confessional statement made in connection with Vaishali P.S. Case No. 268 of 2020. Nothing incriminating as alleged in the F.I.R. has been recovered from the conscious possession of the petitioner. The petitioner is rotting in judicial custody since 12.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

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 A.C.J.M., Vaishali at Hajipur in connection with Vaishali P.S. Case No. 251 of 2020 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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