

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66619 of 2021

Arising Out of PS. Case No.-363 Year-2021 Thana- HARNAUT District- Nalanda

1. Aula Tarak Son of Aula Trisul Resident of Village - Purbakote, Kantora, P.S.
- Kudai, District - Jajapur (Odisha).
2. Sunil Das Son of Mariya Das Resident of Village - Purbakote, Kantora, P.S.
- Kudai, District - Jajapur (Odisha).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-04-2022 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 petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 392, 411, 467 of the Indian Penal Code.

As per prosecution case, in brief, it is alleged by the informant Roshan Kumar that on 17.08.2021 at about 9:00 A.M. he was going to open his Muskan Jewellery shop and in course of opening the shop two persons on a bike stopped near his shop and snatched a bag from him in which cash, keys and tiffin was



there. When the Harnaut police reached at the spot and caught hold of both the accused persons who disclosed his name Allu Tarak from who the bag of the informant was recovered and other co-accused person person who was riding the Pulsar Bike disclosed his name Sunil Das and from him one bag was recovered in which there were clothes sample and two number plates having number OD34H-7286 and OD34N-1878.

Learned counsel for the petitioners submit that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that due to business dispute the petitioners have been falsely implicated in the present case by the informant. He further submits that the bag in question has been recovered from the possession of petitioner no. 1 and police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 23.02.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Harnaut P.S. Case No. 363 of 2021, with the following



conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(4) One of the bailors shall be the resident of territorial jurisdiction of the learned court below.

(Rajesh Kumar Verma, J)

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