

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70083 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- BASOPATTI District- Madhubani

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Pramod Singh @ Pramod Kumar Singh, Son of Late Arju Singh, Resident of
Village- Kuadh, P.S.- Jainagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh, Advocate

For the Opposite Party/s : Md. Mustaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

3 04-04-2022 The applicant is given out of turn hearing on the

ground of ailment of his wife and her reference to the Multi-

specialty Hospital. This fact is not disputed by the other side.

The applicant/accused in Crime No. 40 of 2021
registered with Basopatti Police Station for the offence
punishable under Section 392 of the Indian Penal Code, by this
application is seeking his release on bail during pendency of the
trial.

Heard both sides.

The learned counsel for the applicant has pointed
out that even in the confessional statement of Binod Yadav,
name of the applicant is not figuring. Two co-accused with
similar evidence namely, Md. Arshad and Jitendra Thakur are
granted bail by the coordinate Benches of this Court. It is



further argued that there is no test identification parade and nothing was recovered from the applicant.

The learned Additional Public Prosecutor opposed the application.

I have considered the submissions so advanced and also perused the materials placed before me.

Undisputably the investigation of the subject crime is over and the recovery was from Binod Yadav. On his confession, four other accused persons came to be arrested and two of them are directed to be released on bail. So far as the applicant is concerned, no test identification parade was conducted by the prosecution and nothing is said to be recovered from his possession. Hence I see no reason to refuse bail to the applicant. Therefore, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 40 of 2021 registered with Basopatti Police Station be released on bail on executing P.R. bond of Rs.25,000/- (Rupees Twenty Five Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the



facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

Bhardwaj/-

(A. M. Badar, J)

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