

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70937 of 2021

Arising Out of PS. Case No.-214 Year-2021 Thana- RAJAON District- Banka

GAURAV KUMAR Son of Bullan Thakur @ Vikas Chand Thakur Resident
of Village - Khaira, P.S.- Rajoun, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Nurul Hoda, Adv

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2022 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 learned APP for the State in virtual Court proceeding.

Petitioner seeks bail in a case registered for the offence punishable under Sections 457,380,411,341 and 323 of the IPC.

The allegation against the petitioner, as per FIR, is that he and two others committing theft of cash of Rs.5,000/- and some brass and copper made articles sum of Rs.40,000/-, kept in the dwelling house of the informant Nisha Rai. It is further alleged that when the informant went to lodge complaint before the local police station, the said accused persons



committed maar-peet with the wife of the informant and also tried to snatch her jewelleryes.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case only on the basis of the disclosure made by co-accused, namely, Ajit Kumar. He further submits that nothing has been recovered from conscious possession of the petitioner or from the house of the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 19.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Rajoun P.S. Case No.214 of 2021, 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 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.

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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