

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72145 of 2021

Arising Out of PS. Case No.-339 Year-2021 Thana- SHERGHATI District- Gaya

MADAN KUMAR Son of Devnandan Sharma Resident of Mohalla- Barhi
tole, Sherghati, P.S.- Sherghati, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dharmesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Sherghati P.S. Case No. 339 of 2021 registered for the offences punishable under Section 461 and 379 of the Indian Penal Code. He is in custody since 20.06.2021 having no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that he is the owner of M/s Gaya Pd. and Sons, resident of New Bazar, Sherghati and on 17.06.2021 when he opened his shop, found that the mobiles in the shop have been taken away by the theft by breaking/cutting the ceiling and wall of the shop. The informant further alleged that the articles of 10 Lakh 50 thousand have been taken away by the thieves.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. Learned counsel submits that nothing incriminating articles have been recovered from the possession of the petitioner.

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

Having regard to the submission that it is a case under Section 461 and 379 I.P.C. and the petitioner has remained in custody since 20.06.2021, he has otherwise no criminal antecedent and his presence may be secured in course of trial, therefore, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya, in connection with Sherghati P.S. Case No. 339 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

