

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16608 of 2023

Arising Out of PS. Case No.-711 Year-2020 Thana- NAWADA District- Nawada

Ballam @ Balma Kumar S/O- Shivbalak Yadav Village- Bhadauni Ps-
Nawada Town Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 08-09-2023 Heard learned counsel for the parties.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 396, 397 of the Indian Penal Code. Later on Section 412 of the IPC has been added.

3. In pursuance to the order dated 02.08.2023, status report of trial in connection with S.T. No. 04 of 2021/05 of 2021 arising out of Nawada Town (Bundelkhand O.P.) P.S. Case No. 711 of 2020 has been received and kept at Flag-R, in which it is reported that out of 25 charge-sheet witnesses, 8 witnesses have been examined and discharged and for procurement of further evidence specific direction was give to prosecution. The next date fixed in this case on 17.08.2023 for evidence.

4. As per FIR, 4-5 unknown miscreants entered into the house of the informant and looted the articles along with mobile, CCTV camera. They also assaulted the informant.



5. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implication in this case. He submits that the petitioner is languishing in judicial custody since 30.08.2020.

6. Considering the facts and circumstances of the case and the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with S.T. No. 04 of 2021/05 of 2021 arising out of Nawada Town (Bundelkhand O.P.) P.S. Case No. 711 of 2020, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(II) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the petitioner will mark his attendance in the



local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(IV) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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