

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68061 of 2023

Arising Out of PS. Case No.-04 Year-2023 Thana- BHADHWAR District- Gaya

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Ramanand Prasad @ Ramnandan Prasad S/O - Late Banbari Prasad @
Banvari Mahto, Resident of Village - Ramdohar, P.S. - Bhadwar, Distt. -
Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-10-2023 Heard Mr. Vijay Kumar, learned counsel for the

petitioner and Mr. Khurshid Anwar, learned APP for the State.

2. The petitioner is apprehending his arrest
connection with Bhadwar P.S. Case No. 04 of 2023, F.I.R. dated
24.01.2023 registered for the offences punishable under
Sections 379 and 461 of the Indian Penal Code.

3. The F.I.R. of the occurrence of theft is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. Initially, the petitioner was not
named in the F.I.R. and the present F.I.R. was instituted on
24.01.2023 and after two months of the occurrence the



informant has filed a petition before the SHO on 30.03.2023 stating therein that he has suspected that the petitioner might taken away the articles from the shop of the informant. He further submits that except the suspicion, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and in fact the petitioner is the employee in the shop of the informant and due to village politics the name of the petitioner has been falsely dragged in the present case.

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

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sherghati at Gaya in connection with Bhadwar P.S. Case No. 04 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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 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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