

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74695 of 2022

Arising Out of PS. Case No.-396 Year-2021 Thana- PARSA District- Saran

ARYAN PATHAK Son of Rameshwar Pathak R/v- Bheldi, P.S.- Bheldi,
District- Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 14.12.2021 in connection with Parsa P.S. Case No. 396 of 2021, F.I.R. dated 11.11.2021 registered for the offence punishable under Sections 379 of IPC and later on Sections 392 and 411 of the Indian Penal Code was added.

The FIR of the occurrence of theft is against unknown.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. The petitioner is not named in the FIR. The name of the petitioner has been transpired on the basis of suspicion and the self-confessional statement of the petitioner which was recorded



in Bheldi P.S.Case No.367 of 2021. Further submits that in fact nothing has been recovered from conscious possession of the petitioner and except the self-confessional statement of the petitioner in Bheldi P.S.Case No.367 of 2021, no other cogent material has come during investigation against the petitioner to connect the petitioner in the present occurrence and the police, after investigation, submitted chargesheet against the petitioner and the petitioner was remanded in the present case on 14.12.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries four more cases other than the present one.

Considering the aforesaid fact, 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 Additional Chief Judicial Magistrate, Saran at Chapra in connection with Parsa P.S. Case No. 396 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.

(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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