

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81381 of 2023

Arising Out of PS. Case No.-835 Year-2022 Thana- FATUA District- Patna

RAM DAYAL DAS @ AJAY DAS @ AJAY KUMAR SON OF LATE
MADAN DAS RESIDENT OF VILLAGE - GANDHI NAGAR
MAKSUDUR, POLICE STATION - FATUHA, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-03-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Fatuha P.S. Case No. 835 of 2022 instituted under Sections 380 of the Indian Penal Code and later added section 411 of the IPC lodged on 15.11.2022 by the informant, Mani Bhushan Pandey.

3. As per the prosecution story, the informant alleged that the local thieves committed theft of nine pieces of crasher blade worth Rs. 47,000/- as the Guard was interrogated, on his confession, some of the crasher blades were recovered near the bushes of the Fatuha Station and name of the petitioner cropped up. Accordingly, the FIR.

4. Learned counsel for the petitioner submits only



because he has criminal antecedent, is being implicated for which he had already given information to the Police on 27.10.2022 and immediately thereafter, his name dragged in.

5. Learned APP opposes the prayer stating that he has criminal antecedent.

6. Considering the submission of the petitioner as also that actually recovery has been made on the basis of confession of the Guard, Madan Singh, a petition was preferred by him to the S.S.P., Patna which is on record, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Fatuha P.S. Case No. 835 of 2022 to the satisfaction of learned A.C.J.M. -1st Patna City subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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