

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13894 of 2017

Arising Out of PS.Case No. -44 Year- 2017 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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Pankaj Kumar, son of Brjnandan Prasad, resident of Village/Mohalla-
Tharthari, Bigha, P.S.- Tharthari, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad, Sr.Advocate with
M/S Pramod Kumar, Ritesh Kumar,
Advocates

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-03-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Bihar P.S.Case No. 44 of 2017 registered for the offences
punishable under Sections 399, 402 of the Indian Penal Code and
25(I b) a, 26 and 35 of the Arms Act.

It has been submitted by learned counsel for the
petitioner that though this is a case under Sections 399, 402 of the
IPC but petitioner has nothing to do with the case as the petitioner
was only present at the spot and nothing has been recovered from
his possession having no criminal antecedent and remained in
custody for about two months.

Heard learned APP also.

Having heard both sides and considering the facts and



circumstances of the case, let the petitioner, above named, be released 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 Chief Judicial Magistrate, Nalanda at Bihar Sharif, in connection with Bihar P.S.Case No. 44 of 2017, subject to the conditions that :-

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.

(ii) The petitioner will not induce any witness or tamper with the evidence.

(iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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