

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2523 of 2017

Arising Out of PS.Case No. -29 Year- 2017 Thana -SC/ST District- BHABHUA (KAIMUR)

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1. Pankaj Kumar @ Rohit Raj, son of Kishor Prasad, Resident of Village-
Raja Kuan, P.S. Bihar Sarif, District- Nalanda.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arabind Nath Pandey, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 12-10-2017 Heard the parties.

The appellant seeks regular bail in SC/ST (Bhabua)
P.S. Case No.29 of 2017 registered for the offence under Sections
420, 406, 504, 506, 467. 468, 471, 386, 34 of the I.P.C. and
Section 3(i) (r) (s) of the SC/ST (POA)Act.

Allegation as per the F.I.R. against the appellant is that
one message was sent on the mobile of the informant to deposit
Rs.12,4500/- in the A/c No.20416693437 of the appellant on the
pretext of lottery and that message was sent by other co-accused
persons and thereafter the informant deposited money which was
not returned.

Submission of the learned counsel for the appellant is
that Account number which has been given in the name of Pankaj



and the money was deposited in the said account but there is no such Account number of the appellant in that bank. Further submission is that the appellant is in custody for more than about five months having no criminal antecedent.

Heard learned Spl.P.P. also and opposed the prayer for bail stating that this appellant is actually named as Pankaj Patel and in that name Account number was found but he could not support any material in the case diary.

Having heard both sides and in view of the facts and circumstances, as stated above, appeal is allowed. Let the appellant, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of Additional Sessions Judge 1st-cum-Special Judge, Kaimur at Bhabua, in SC/ST (Bhabua) P.S. Case No.29 of 2017 , SC/ST Reg.No.136/17 subject to the conditions that (1) one of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned court. (2) The appellant will not induce any witness or tamper with the evidence. (3) The appellant shall co-operate in disposal of trial and make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any



genuine reason, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

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