

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM COURT'S CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.26226 of 2020**

Arising Out of PS. Case No.-356 Year-2019 Thana- GORAU District- Vaishali

PANKAJ KUMAR Son of Ganga Rai Resident of Village - Bedauliya, P.S.-
Goraul, Dist.- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mahendra Thakur,Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 13-10-2020 Learned counsel for the petitioner undertakes to remove all the defects pointed out by Stamp Reporter within three weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Goraul P.S. Case No. 356 of 2019 registered for the offences punishable under Sections 399, 402, 413, 414 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

Learned counsel for the petitioner submits that the name of the petitioner has transpired in the statement of the apprehended accused. The allegation is that all the accused persons had assembled at the alleged place and they were planning to commit dacoity.

It is further submission of learned counsel that nothing incriminating has been recovered from the possession of this



petitioner, the petitioner has no criminal antecedent and the accused who were arrested on spot have been granted regular bail by learned Co-ordinate Benches of this Court in Cri. Misc. No. 83983 of 2019, Cri. Misc. No. 10280 of 2020 copies of which has been annexed as Annexure '2' series of the present application.

Mr. Akhileshwar Dayal, learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case wherein the persons who were arrested on spot have been granted regular bail by learned Co-ordinate Benches of this Court and the petitioner was not arrested on spot rather his name has transpired in the statement of the apprehended accused and that he has no criminal antecedent, let the petitioner above-named be released on bail on furnishing bail bond of Rs.25,000 (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M, 1st Hajipur at Dist Vaishali in connection with Goraul P.S. Case No. 356 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make



any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

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 steps for cancellation of bail bond of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

