

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85892 of 2019

Arising Out of PS. Case No.-215 Year-2019 Thana- GANDHIMAIDAN District- Patna

Pankaj Kumar S/o Sri Bindeshwari Rajak, R/o Ward No.-32, Hatia Gachhi,
P.S.- Saharsa Sadar, District- Saharsa.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar Jha, Advocate
For the Opposite Party/s : Mr.Pancha Nand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Gandhi Maidan P.S. Case No. 215 of 2019 (G.R. No. 3580 of 2019) registered for the offences punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner has no concern with the alleged incident and petitioner has been arrested in view of the confessional statement of co-accused. The petitioner is in custody since 18.05.2019 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.



Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that in the present case the vehicle in question has been recovered from Hanuman Chowk near Hatiya Gachhi but the petitioner has been arrested in view of the confessional statement of the co-accused who has alleged that this petitioner was involved in sale and purchase of the stolen car but prior to the present case there was no criminal antecedent of the petitioner, he has not been identified by the informant or his driver who was allegedly sleeping in the car when it was taken away and save and except the confessional statement there is no other material against the petitioner and further submission that the petitioner is in custody in connection with this case since 18.05.2019, let the petitioner above named be released on bail in connection with Gandhi Maidan P.S. Case No. 215 of 2019 (G.R. No. 3580/19) on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned J.M. IInd Class, Patna, 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.

(Rajeev Ranjan Prasad, J)

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