

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83109 of 2019

Arising Out of PS. Case No.-4 Year-2019 Thana- KUMAR KHAND District- Madhepura

Pankaj Kumar @ Pankaj Kumar Yadav, Male, Aged about 40 Years, Son of Laxmi Yadav, Resident of village- Gwalpara, P.S.- Gwalpara, District- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Om Prakash Prasad, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 08-01-2020

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kumarkhand (Belari OP) PS Case No.04 of 2019 dated 08.01.2019 instituted under Section 395 of the Indian Penal Code.

3. The allegation against the petitioner, along with others, is of looting Rs.1,72,800/- from the Petrol Pump at gun point. Against the petitioner, it is specific that he was sitting on a motorcycle outside and three days earlier he filled up fuel in his motorcycle but there was dispute with regard to payment.

4. Learned counsel for the petitioner submitted that he has been falsely implicated in the case as he is in partnership



with co-accused, Sintu Kumar, who was interested in opening of Petrol Pump nearby and due to this the owner of the Petrol Pump in question has got this false case registered through his employee, who was Supervisor at the Petrol Pump. Learned counsel submitted that the informant is not known to the petitioner and still having been named clearly shows that it is false implication. It was submitted that he had filed formal petition in the Court of the SDJM, Madhepura, praying to be put on Test Identification Parade, but till date the same has not been done.

5. Learned APP submitted that the petitioner has played an active role in looting of the cash as he was the person, who was waiting outside on the motorcycle, on which the persons, who had looted the Petrol Pump, had fled away.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the SDJM, Madhepura, in Kumarkhand (Belari) PS Case No.04 of 2019, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner (ii) that the petitioner and the bailors shall execute



bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

J. Alam/-

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