

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11737 of 2021

Arising Out of PS. Case No.-5 Year-2018 Thana- BARHAT District- Jamui

SITARAM PANDIT S/o Jodhan Pandit R/o village- Hadhadia, P.S.- Barhat,
District- Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the offence punishable under Sections 395 and 397 of the Indian Penal Code.

Allegation against the petitioner is that he along with others committed loot of ornaments, cash amount of Rs. 50,000/- and mobiles from the house of the informant.

Learned counsel for the petitioner submits that petitioner is innocent, not named in the FIR and has been falsely implicated in this case. He submits that nothing has been recovered from the conscious possession of the petitioner. He submits that no TIP has been done as yet, charge-sheet has already been submitted and there is no allegation of tampering with the prosecution evidence by the petitioner. He submits that



petitioner has been made accused on the confessional statement of co-accused Mohan Manjhi. He further submits that petitioner bears three criminal antecedent and he is languishing in judicial custody since 09.12.2019.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Barhat P.S. Case No. 05 of 2008, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(II) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at



liberty to move cancellation of his bail bond.

(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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