

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16876 of 2021

Arising Out of PS. Case No.-125 Year-2020 Thana- MAHESI District- East Champaran

Ratnesh Pandey @ Pintu Pandey Son Of Amarnath Pandey Resident Of
Village - Jasauli, P.S. Kathaiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-07-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court proceeding.
In the eventuality of non-removal of defects within undertaken
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Mehasi P.S. Case
No. 125 of 2020 registered for the offence punishable under Section
392 of the Indian Penal Code.

Allegation against the petitioner is that petitioner along with
two co-accused persons on the point of pistol looted/robbed Rupees
sixty thousand from the counter of the C.S.P. Kendra, Rupees
twenty thousand from the informant's pocket and they also looted
two mobiles phones. It is alleged that after the said occurrence they
fled away towards Motipur on their motorcycle.



It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. No such occurrence as alleged ever took place. He submits that petitioner is not named in the F.I.R. and petitioner has not been put on T.I. parade till date. He submits that similiary situated co-accused persons have been granted bail *vide* orders dated 16.04.2021 and 20.05.2021 in Cr. Misc. No. 7990 and Cr. Misc. No. 10488 respectively by different co-ordinate Benches of this Court. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has five criminal antecedents as has been mentioned in para 3 of this bail petition and has been languishing in custody since 08.07.2020.

There is nothing in record indicating the complicity of the petitioner in the occurrence barring the confessional statement of *Mani Kumar @ Mani Singh* which has no evidentiary value in the eye of law.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Mehasi P.S. Case No. 125 of 2020 subject to the following conditions:

(1) One of the bailors will be own close relative of the



petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused 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 the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in the case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

GAURAV S./-

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