

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.19421 of 2021**

Arising Out of PS. Case No.-160 Year-2020 Thana- DESARI District- Vaishali

PINTU KUMAR Son of Sri Ravindra Paswan Resident of Village - Khoksha
Kalyan, P.S.- Desari, District - Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thaukr, Advocate

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

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

2 20-07-2021 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 Desari P.S. Case No. 160 of 2020 registered
for the offences punishable under Section 392 of the Indian
Penal Code.

As per the prosecution story, the informant alleged
that his work was to collect money from Mahila Samittee and
while he was returning after collecting total amount of Rs.
70,900/- on his motorcycle, two boys came there and stopped
his motorcycle and taken away the aforesaid amount, mobile
phone and ATM Card etc. and fled away.

Learned counsel for the petitioner submits that the
name of the petitioner has transpired in the confessional
statement of the co-accused, no incriminating article has been



recovered from possession of the petitioner, however he is in custody in connection with this case since 06.11.2020.

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

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the name of the petitioner has transpired in the confessional statement of the co-accused, however till date there is no Test Identification Parade, no incriminating article has been recovered from possession of the petitioner and so far as the criminal antecedents of three cases stated in paragraph '3' are concerned, out of which in two cases the petitioner is on bail, however in one of the cases his prayer for bail is pending before this court, he is in custody in connection with this case since 06.11.2020, investigation against him is complete but the trial is not likely to take place in near future, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Sub-Judge – 16 – cum – A.C.J.M.-15, Vaishali at Hajipur, in connection with Desari P.S. Case No. 160 of 2020, 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 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

