

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1762 of 2021

Arising Out of PS. Case No.-110 Year-2020 Thana- MAHARAJGANJ District- Siwan

NITISH PANDIT @ NITESH PANDIT Son of Suresh Pandit Village-
Badram Tola Tadiya, P.S.- Hussainganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Mishra

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-03-2021 Heard both parties.

The petitioner seeks bail in Maharajganj P.S. Case No. 110 of 2020, registered for the offence punishable under Section 392 of the Indian Penal Code. Later on, section 412 of the IPC was added.

As per the prosecution case, while the informant was returning to his house by motorcycle and reached near Taivatha bridge, three unknown miscreants aged about 18-20 years on the point of pistol, snatched his mobile, motorcycle and fled away away.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR. During course of investigation, name of this petitioner has come in this case on the basis of confessional statement of co-accused Sanjit Kumar. No incriminating article has been recovered from possession of



this petitioner. Petitioner has not been put on test identification parade till date. Stolen motorcycle has been recovered from possession of co-accused Sanjt Kumar. Petitioner has been remanded in this case on 28.08.2020 and is in custody since 22.08.2020. Chargesheet has already been submitted.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate V, Siwan in connection with Maharajganj P.S. Case No. 110 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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