

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1694 of 2021

Arising Out of PS. Case No.-332 Year-2019 Thana- DESARI District- Vaishali

ANKIT KUMAR PATHAK S/o Vipin Kumar Pathak Resident of Village-
Rampur Baghel, P.S.- Desari (Sahdei O.P.), Distt- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Adv
For the Opposite Party/s : Ms. Neena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 01-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Desari (Sahdei O.P.) P.S. Case No. 332 of 2019 registered under Sections 394, 302 and 396 of the Indian Penal Code and Section 27 of the Arms Act.

Depositions of PW. 1 and PW. 2 given at the trial has been annexed as Annexure 6 of this application. Referring to the same, which are subsequent to rejection of the petitioner's prayer, earlier in Cr. Misc. No. 20360/2020, the petitioner's



counsel submits that both the seizure list witnesses have stated that their signatures were obtained on blank paper. This subsequent development, as per submission of the petitioner's counsel, be viewed with incarceration of the petitioner now since 8.11.2019 about two years. The further submission is that petitioner was remanded in this case from the Desari (Sahedi O.P.) P.S. Case No. 333/2019 and in that case also he has been allowed bail under order dated 27.08.2020 passed in Cr. Misc. No. 22302 of 2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-X, Vaishali at Hajipur in Desari (Sahdei O.P.) P.S. Case No. 332 of 2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to



how he is related with the petitioner. The bailor 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 date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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