

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7256 of 2021

Arising Out of PS. Case No.-234 Year-2016 Thana- CHAUSA District- Madhepura

Pankaj Muni S/o Wakil Muni, resident of village - Chirauri, P.S.- Chausa,
District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate
For the Opposite Party/s : Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-06-2021 In view of sudden surge of COVID-19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and the 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 Chausa P.S. Case No. 234 of 2016 registered for offence punishable under sections 399, 402 of the Indian Penal Code and section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

On a tip-off regarding planning of a dacoity, police



proceeded to verify the information. One Santlal Singh (co-accused) has been apprehended with arms and ammunition. He has stated about the petitioner's complicity in the proposed dacoity.

Petitioner's counsel submits that on account of criminal antecedents, petitioner has been implicated in this case falsely on the pretext of statement of co-accused which has no evidentiary value. The co-accused Santlal Singh, who has stated about the petitioner's complicity, has since been allowed bail in Cr. Misc. No. 22780 of 2017.

The petitioner, as per statements in paragraph 3, is on bail in the three cases pending against him since before. In the instant case he is in custody since 21.08.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, 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 Additional District and Sessions Judge-II, Madhepura in Chausa P.S. Case No. 234 of 2016, subject to the following conditions:-



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