

IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.10486 of 2021

Arising Out of PS. Case No.-82 Year-2020 Thana- MANSI District- Khagaria

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PANKAJ SAH Son of Sanjay Sah @ Sanjay Prasad Sahu Resident of Rohiyar, Ward No. 13, P.S. Mansi, Dist. Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Amitabh Sohan, Advocate, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 13-08-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Tapeswar Sharma, learned APP for the State.

Petitioner in the present case is seeking regular bail in connection with Mansi P.S. Case No. 82 of 2020 registered for the offences punishable under Sections 395 of the Indian Penal Code. He is in custody since 1.5.2020.

Learned counsel for the petitioner submits that as per the prosecution story all the three persons who had snatched away the bag of the informant had covered their faces. It is further submitted that the petitioner has been falsely implicated

in this case on mere suspicion on the basis of confessional statement of the co-accused, however, he has not been identified by the informant and no incriminating article has been recovered from his possession.

Several co-accused have been granted bail by learned coordinate Benches of this Court and on noticing that this Court has also granted bail to co-accused Ranjan Kumar in Cr. Misc No. 39129 of 2020 on 19.3.2021. The petitioner has otherwise no criminal antecedent.

Learned APP for the State has though opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case wherein save and except the confessional statement of the co-accused no other material has been drawn to the notice of this Court against the petitioner, the co-accused have been granted bail in this case, therefore, this Court directs release of the petitioner on bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned J.M., 1st, Class, Khagaria in connection with Mansi P.S. Case No. 82 of 2020 (G.R. No. 841 of 2020), subject to the conditions 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 is suspected, and

(c) that such persons shall not directly or indirectly make and 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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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'.