

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3378 of 2022

Arising Out of PS. Case No.-174 Year-2020 Thana- SIRDALA District- Nawada

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ANKIT PANDEY Son of Narendra Pandey Resident of Village - Dhiraundh,
Police Station - Sirdala, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 413 and 414 of the Indian Penal Code.

The prosecution case in brief is that the informant received information on his mobile that large number of stolen motorcycle are standing in front of the house of the co-accused Dilip Prasad and the said motorcycles are being used for the purpose of transporting illegal wine.

Learned counsel for the petitioner submits that the



petitioner has clean antecedents and he has been falsely implicated in the present case only on the basis of suspicion. He further submits that it appears from the F.I.R. as well as seizure list nothing has been recovered from the conscious possession of the petitioner rather the alleged recovery has been made from the verandah of the co-accused Dilip Prasad. He further submits that similarly situated co-accused persons namely Niraj Pandey, and Guddu Pandey have been granted bail by a Coordinate Bench of this Court vide order dated 29.11.2021 in Cr. Misc. No. 5623 of 2021 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 22.11.2021.

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

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sirdala P.S. Case No. 174 of 2020, with the following conditions :-

(1) 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 on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

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

(3) 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.

(Rajesh Kumar Verma, J)

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