

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13023 of 2022

Arising Out of PS. Case No.-528 Year-2021 Thana- GAYA MUFASIL District- Gaya

PANKAJ KUMAR S/o Bhim Paswan Resident of Abgila Devasthan, P.S.-
Muffasil, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 06.10.2021, seeks
regular bail in connection with Muffasil P.S. Case No. 528 of
2021 registered for offences punishable under Sections 379 and
414/34 of the Indian Penal Code.

As per the allegation made in the FIR, informant saw
two miscreants after stealing his motorcycle had fled away on it.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent. Petitioner was neither named
in the FIR nor apprehended on the spot and he has been roped in
the present case merely on suspicion. No incriminating article



has been recovered from the possession of the petitioner. He further submits that petitioner has clean antecedent and he is in custody since 06.10.2021. There is no chance of absconding or tampering and hence petitioner deserves to be released on bail.

Learned A.P.P., for the State has vehemently opposed the prayer for grant of bail to the petitioner.

Taking into consideration the nature of allegation made in the FIR, period of custody undergone by the petitioner, there being no allegation of tampering the evidence or influencing the witnesses and trial is also not likely to be concluded in near future, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 528 of 2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



(iii) 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.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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