

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18513 of 2022

Arising Out of PS. Case No.-460 Year-2021 Thana- KAHALGAON District- Bhagalpur

Bhola Pandit Son Of Late Shiv Kr. Pandit Resident Of Purani, Sahabganj,
Kumhar Tola, P.S.- Nagar, District - Sahebganj (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-08-2022 Heard learned counsel for the petitioner and learned A.P.P
for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks form today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Sections 395 and
397 of the Indian Penal Code, 27 of the Arms Act and
subsequently Section 412 of the Indian Penal Code is added.

The F.I.R. is lodged against five unknown miscreants.
Allegation is that altogether Rs. 2,23,675/- was looted from
private financial bank and several mobile phones of the
employees of the said Bank were also snatched.

Learned Counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The name of the petitioner is transpired on the basis of confessional statement of co-accused Ajnesh Paswan @Ashish Paswan. No any incriminating article has been recovered form the possession of the petitioner. It is further submitted that only charges has been framed and till date no witness has been examined, and no Test Identification Parade (T.I.P) has been conducted. Further, it is submitted that the petitioner is in custody since 21.10.2021, has criminal antecedent of four cases and charge-sheet has been submitted in the case.

Learned A.P.P for the State opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge Vth, Bhagalpur in connection with Sessions Trial No. 14 of 2022 arising out of Kahalgaon P.S. Case No. 460 of 2021, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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