

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32801 of 2022

Arising Out of PS. Case No.-429 Year-2021 Thana- TARAIYA District- Saran

Pankaj Kumar, aged about 25 years (Male), Son of Upendra Kumar, Resident of Village - Kistipur, P.S.- Masaurhi, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-09-2022 Heard Mr. Manoj Kumar Pandey, learned counsel appearing on behalf of the petitioner and Mr. Parmanand Kumar, learned A.P.P. for the State.

Petitioner, who is in custody since 15.01.2022, seeks regular bail in connection with Taraiya P.S. Case No. 429 of 2021 registered for offences punishable under Sections 392 of the Indian Penal Code.

As per the allegation made in the F.I.R., four unknown miscreants had robbed the Bolero pick up van bearing Registration No. BR-01GF-7520 from the informant.

Learned counsel appearing on behalf of the petitioner submits that petitioner is not named in the F.I.R. Name of the petitioner has surfaced in course of investigation, on the basis of confessional statement on one co-accused Rohit Kumar and thereafter he was taken into custody and subsequent to the same



he was also apprehended in four other cases about which he has already made a specific statement in paragraph no. 3 of the bail application. He further submits that nothing has been recovered from the possession of the petitioner or from his any of the family members. Till date, petitioner has not been put on T.I.P. Charge-sheet has already been submitted. Petitioner is in custody since 15.01.2022. On these grounds, petitioner seeks to be released on bail.

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

Having heard the rival submissions of the parties, nature of allegation made in the F.I.R., name of the petitioner has surfaced in course of investigation, on the basis of confessional statement of co-accused Rohit Kumar, in course of investigation, no material has come against the petitioner to show his complicity in the alleged crime, charge-sheet has already been submitted and the trial is not likely to be concluded in near future, the petitioner, above named, is directed to be released 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 Additional Chief Judicial Magistrate- 1st, Saran, District- Chhapra in connection



with Taraiya P.S. Case No. 429 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.

(v) The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will loose its force automatically.

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

