

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37895 of 2022

Arising Out of PS. Case No.-375 Year-2021 Thana- TARAIYA District- Saran

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PANKAJ KUMAR Son of Upendra Kumar Resident of Village - Kistipur, P.S.
- Masaurhi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Taraiya P.S. Case No. 375 of 2021 for the offences under
Section 392 of the Indian Penal Code.

As per the allegation in the FIR, the informant has
alleged that the pick-up van was overtaken by a car and after
stopping it, the driver was pulled out and they fled away with
the pick-up van. However, from the GPS installed in the said
pick-up van, it was found standing at a petrol pump.

During the investigation, the name of the accused
persons including the petitioner herein cropped up. Accordingly,



he came into judicial custody and is in jail since 02.02.2022 (as stated in paragraph-13 of the bail application).

Considering the aforesaid fact that the petitioner is in custody since 02.02.2022, the charge sheet stands submitted, one of the co-accused namely, Munshi Mahto @ Munsu Mahto @ Manshi Kumar Mahato has been granted bail on 26.08.2022 in Cr. Misc. No. 27218 of 2022 and ultimately he has to face the trial, this Court is inclined him to grant the privilege of bail after framing of the charges.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Saran, District-Chapra in connection with Taraiya, P.S. Case No. 375 of 2021, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail by the Trial court itself;



(iii) the petitioner shall leave the district (Chapra) for a period of three month(s) after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station (where he will stay) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight for the next six months;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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