

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43010 of 2022**

Arising Out of PS. Case No.-124 Year-2022 Thana- ADAPUR District- East Champaran

NIRANJAN PANDIT S/O RAM CHANDRA PANDIT Resident of Village-
Siswa Ajgari, P.S.- Banjariya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Pandey

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 22-11-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Adapur P.S. Case No. 124 of 2022 registered for the offences
punishable under Sections 379, 413, 414, 34 of the Indian Penal
Code.

As per prosecution case, there is accusation against
the petitioner that he used to purchase the stolen articles.

Learned counsel for the petitioner submits that
petitioner is in custody since 23.04.2022 and bears no criminal
antecedent. He further submits that charge sheet has been
submitted in the case and there is no likelihood of tampering



with the prosecution evidence. No incriminating article has been recovered from possession of the petitioner. He further submits that search and seizure was not made in accordance with law. Co-accused Shambhu Sah and Imteyaz Alam @ Intezar Alam have already been granted bail by co-ordinate Benches of this Court vide Cr. Misc. No. 36495 of 2022 and 38995 of 2022 respectively and the case of present petitioner is more or less on similar footing.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, co-accused persons have already been granted bail, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, as submitted, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 Judicial Magistrate, 1st Class, East Champaran at Motihari in connection with Adapur P.S. Case No. 124 of 2022, subject to following



conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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