

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56212 of 2021**

Arising Out of PS. Case No.-135 Year-2020 Thana- PIPRA District- East Champaran

RATNESH PANDEY @ PINTU Son of Amarnath Pandey Resident of  
Village- Jasauli, P.S.- Kathaiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms.Bela Singh, Adv

For the Opposite Party/s : Mr.Dinesh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      27-01-2022                      Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Pipara P.S.Case No.135 of 2020 registered for the offence under Sections 392,307 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in short, is that four miscreants on two motorcycles entered in the C.S.P. of S.B.I. near Bakhari Bazar and looted away Rs. 40,000/- (forth thousand) cash, one Laptop, mobile phones and some documents.

Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. He has falsely been



implicated in the present case only on the basis of confessional statement of co-accused, namely, Mani Kumar @ Mani Singh. He further submits that till date no T.I. Parade has been conducted by the police. He further submits that nothing has been recovered from the possession of the petitioner. He further submits that except confessional statement of co-accused, nothing has come against the petitioner. He further submits that co-accused, namely, Rahul Kumar has been granted bail vide order dated 21.08.2021 in Cr. Misc. No.30402 of 2021 by a Coordinate Bench of this Hon'ble Court. He further submits that another co-accused, namely, Babul Kumar has been granted bail vide order dated 21.01.2022 in Cr. Misc. No.39956 of 2021 by this Hon'ble Court. He further submits that the police, after investigation, submitted chargesheet against the petitioner under Sections 395, 397, 412 and 120 B of IPC and Section 27 of the Arms Act. Petitioner is in custody since 24.12.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries five more cases other than the present one.

Considering the aforesaid facts and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, East Champaran in connection with Pipara P.S.Case No.135 of 2020 with the 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 shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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