

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50229 of 2022

Arising Out of PS. Case No.-215 Year-2021 Thana- GANGABRIDGE District- Vaishali

PANKAJ KUMAR S/O GANESH SAH Resident of village- Saidpur Ganesh,
Ward No- 09, Panapur Dharmpu, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Advocate

For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

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

The case is registered under sections 395/412 of
the Indian Penal Code, in connection with Ganga Bridge P.S.
Case No. 215 of 2021.

As per the FIR, the informant, a nozzle-man of
petrol pump alleged that while he and another nozzle-man were
on duty, the accused persons came for filling up petrol in the
bottle and on the pretext of drinking water, they thereafter, on
the point of pistol took away Rs. 46,000/- that was the collection
amount and locked them in the room.

Learned counsel for the petitioner submits that they
were made accused in Ganga Bridge P.S. Case No. 230 of 2021
and after their arrest as the police had no clue about the present



case as also the role of accused persons, put pressure upon them and accordingly, they were forced to put down signatures on blank paper in which their confession was taken and they have been implicated in this case.

Learned counsel for the petitioner further submits that his statement be recorded that although the petitioner is in custody since 17.11.2021 but no TIP has been done. If the statement is false, the petitioner will not be entitled to bail.

Taking into account the aforesaid statement of the learned counsel for the petitioner that despite being in jail since one year, the police has failed to conduct TIP and the petitioner is in custody since 17.11.2021, chargesheet stands submitted, this Court is inclined to grant him the privilege of bail with strict conditions in view of the fact that he has criminal antecedent.

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 Chief Judicial Magistrate, Hajipur at Vaishali, in connection with Ganga Bridge P.S. Case No. 215 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/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) 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 the bail bonds;

(v) 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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