

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61731 of 2021

Arising Out of PS. Case No.-360 Year-2019 Thana- PIPRA District- East Champaran

MANJIT KUMAR @ PANDIT Son of Anand Bihari Pathak Resident of
Village - Sita Kund, P.S.- Pipra, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Raj

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 29-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Pipra P.S. Case No. 360 of 2019 for the offence punishable
under Section 392 of the Indian Penal Code.

The F.I.R. of the occurrence of robbery is against
unknown. Four unknown miscreants are said to have robbed
cash of Rs. 1,80,000/- of the informant.

Learned counsel appearing on behalf of the petitioner
submits that the F.I.R. is against unknown. He has fairly
submitted that the petitioner is not associated with any gang of



robberer that can be verified by the court below taking into consideration the case which has been referred in Para-3 of the present bail application, in which the petitioner is on bail. Nothing has been recovered from conscious possession of the petitioner. No T.I.P. has been held till date. Petitioner is in custody since 02.03.2021.

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

Having considered the statement made by the rival parties and specific submission made by the counsel appearing on behalf of the petitioner that nothing has been recovered from conscious possession of the petitioner, no T.I.P. has been held, it would be proper that the court below after taking into consideration the case which has been referred in Para-3 of the present bail application as to whether other co-accused whose name has surfaced in course of investigation in connection with the present case, the petitioner is not associated, in such circumstances, after recording specific finding, the court below is directed to release the petitioner, above named, on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East



Champaran, Motihari in connection with Pipra P.S. Case No. 360 of 2019, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) 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.

(4) 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 bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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