

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62529 of 2021

Arising Out of PS. Case No.-63 Year-2021 Thana- CHHABILAPUR District- Nalanda

PANKAJ KUMAR S/o KAMTA RAJBANSHI R/o VILLAGE-
THAKURASTHAN RAJGIR, P.S-RAJGIR, DISTRICT- NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-03-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 392 and 34 of the Indian Penal
Code.

The bag of the informant containing Rs.12000/-
along with certain documents is said to have been snatched
on the point of gun by the unknown persons.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. In fact,
the petitioner has not been named in the F.I.R. and during
course of investigation, his name has transpired in this case



on the basis of confessional statement of the co-accused, Mithun Kumar@ Aryan. He further submits that it appears from the F.I.R. and the seizure list, only RS. 1000/- cash has been recovered from the pocket of the petitioner. No T.I.P. has been conducted by the prosecution till date. He further submits that the co-accused, namely, Aditya Kumar @ Rohit Kumar and Subodh Kumar have also been granted bail by a co-ordinate Bench of this Court vide order dated 08.02.2022 passed in Cr. Misc. No. 59747 of 2021 and order dated 27.01.2022 passed in Cr. Misc. No. 56027 of 2021, respectively. The petitioner is rotting in judicial custody since 10.07.2021.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Court below where the case is pending in connection with Chhabilapur P.S. Case No. 63 of 2021 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 canceled 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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