

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53324 of 2022

Arising Out of PS. Case No.-186 Year-2022 Thana- JAMUI District- Jamui

Sunil Kumar Pandit Son of Bambam Pandit @ Ramashish Pandit Resident of
Village - Krisha Patti, P.S.- Jamui, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-12-2022 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, within a
period of four weeks from today.

Heard Mr. Pankaj Kumar Sinha, learned counsel for
the petitioner and Mr. Rajendra Singh Sastri, learned APP for
the State though video conferencing.

The petitioner seeks regular bail, who is in custody in
connection with Jamui P.S. Case No. 186 of 2022, registered for
the offences punishable under Section 386 of the Indian Penal
Code.

As per the prosecution case, it is alleged that on
22.04.2022 the informant received a call on his mobile and the
caller has asked for extortion money. Again on the next day
same extortion money demanded and the caller on the phone



told his name as Shravan Tanti and said that he is the man of Anil Tanti.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is not named in the FIR, however, during the course of investigation the name of the petitioner has surfaced on the confession of co-accused Sushil Tanti, thereafter, the petitioner was also apprehended and his self-confession was recorded by the police. He next submits that the petitioner has no concern with the mobile, which is said to have been used for the purpose of extortion. He further submits that so far the recovery of one mobile and motorcycle from the possession of the petitioner is concerned, the same is the own property of the petitioner and not used in connection with any crime. He lastly submits that the investigation of the crime is already complete and the charge-sheet has been submitted and the petitioner is in custody since 30.04.2022.

On the other hand learned APP for the State vehemently opposes the bail application and submits that the petitioner is found involved in three other criminal cases.

At this juncture learned counsel for the petitioner submits that the petitioner is on bail in all three cases.

Regard being had to the submissions made on behalf



of the parties and considering the fact that the name of the petitioner has transpired on the confessional statement of the co-accused & save and except the confessional statement of the co-accused and his own self-confession there is no material suggesting the complicity of the petitioner and moreover, the investigation of the crime is complete, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, in connection with Jamui P.S. Case No. 186 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.



(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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