

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64560 of 2021**

Arising Out of PS. Case No.-7 Year-2021 Thana- HUSSAINGANJ District- Siwan

=====

Rajan Pandey, Son Of Mallarji Pandey @ Manan Pandey Resident Of
Village- Judkan, P.S.- Hussainganj, District- Siwan.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar
For the Opposite Party/s : Mr. Umanath Mishra

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 05-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 413
and 414 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that Abhimanyu Kumar Ram was arrested with a stolen
motorcycle, who disclosed that petitioner also has a stolen
motorcycle. Accordingly, the informant reached the house of the
petitioner and saw a motorcycle parked outside his house, but
petitioner was not present in the house and his family members
were not able to produce any document relating to the
motorcycle.



The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that the alleged motorcycle was not recovered from his premises, but from a place which was outside the house of the petitioner. It is next submitted that his name transpired in the confessional statement of co-accused which has no evidentiary value, nor the petitioner has any connection with the alleged motorcycle which was recovered outside his house. The learned counsel next submits that petitioner is a young boy aged about 22 years and is a student.

Learned A.P.P. opposes the bail application and submits that though a plea has been taken that petitioner is a student, but then there is no pleading to that effect in the anticipatory bail application on which, the learned counsel for the petitioner submits that inadvertently the same could not be pleaded though he has taken instruction from the petitioner based on which, he has made the present submission. .

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees



Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Hussainganj P. S. Case No.07 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C., subject to the condition that one of the bailors of the petitioner shall be his father namely, Mallarji Pandey @ Manan Pandey. Further, before accepting the bail bonds of the petitioner, the learned trial Court shall verify with regard to the educational qualification of the petitioner, further, the petitioner shall produce all the relevant documents relating to his educational qualification. In the event, if no such document is produced, then the present order of anticipatory bail shall not be given effect.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

