

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67091 of 2021

Arising Out of PS. Case No.-326 Year-2021 Thana- DUMRAO District- Buxar

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PINTU KUMAR Son of Birendra Yadav @ Bairendra Sngh Resident of
Village - Nandanme Kendar Baba Ke Dera, P.s.- Dumraon, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mr. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-05-2022

Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four weeks.

The petitioner is an accused in connection with Dumraon P.S. Case No. 326 of 2021 for the offence registered under Sections 399, 400, 401, 402 and 412 of the Indian Penal Code.

The allegation in the FIR is that the police was on patrolling and upon receiving information reached near the brick kiln and saw some people trying to flee away. Seven of them were apprehended and upon search, it is alleged that Rs. 30,000/- was recovered from the possession of this petitioner. So far as other accused persons are concerned, it has been alleged that the amount as well as country-made pistol and live



cartridges were also recovered. The FIR was instituted and they came into judicial custody. The police alleged that the amount in question was looted money of Utakarsh Bank and the accused persons had assembled there for the distribution of the cash amount.

Learned counsel for the petitioner submits that it was his amount with which he had gone to the said place to buy bricks but was apprehended by the police. Charge sheet relating to the Utakarsh bank dacoity has been submitted and he has since been granted bail vide Cr. Misc. No. 70839 of 2021 on 16.05.2021 by a co-ordinate Bench of this Court in said case.

In view of the fact that charge-sheet has been submitted in the matter and he is in jail since 19.08.2021, this Court is inclined to grant him the privilege of bail with certain conditions.

Let the 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 Chief Judicial Magistrate, Buxar in connection with Dumraon P.S. Case No. 326 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 reasons will entail his cancellation of bail by the Trial Court itself;

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

(iv) 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.

The bail application is allowed with the aforesaid observations.

(Rajiv Roy, J)

Jagdish/-

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