

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70464 of 2021

Arising Out of PS. Case No.-142 Year-2019 Thana- BAKHTIYARPUR District- Patna

Ramgati Pandit Son of Late Amrit Pandit Resident of Village - Mirdahachak,
Sabnima, P.S.- Bakhtiyarpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lovekush Kumar, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, App

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 342, 323, 307, 379, 504, 506, 34 of the Indian Penal Code and later on Section 354, 337 and 338 of the Indian Penal Code was added.

According to prosecution case, on 05.05.2019 the informant along with his brother Sumit Kumar was returning to the house from Samudayik Bhawan. In the way five persons named in the FIR caught hold them and started to cause assault to both of them by iron rod, lathi and butt of the pistol in which



informant became unconscious. At that time his gold locket was snatched from his neck and Surya Kumar further caused injury on his body and others also caused injuries on his whole body. At that time Shashi Kant gave iron rod blow on his right hand and all fled away making demand of Rs. 50, 000/-.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that there is no specific allegation against the petitioner to assault the informant and his brother and there is specific allegation of assault by butt to the informant is against Surya Kumar and also assaulted by iron rod on the right hand of the informant is against Shashikant Kumar. He further submits that only allegation against the petitioner is that he snatched the golden locket from the neck of the informant. He further submits that similarly co-accused namely Ram Pravesh @ Preetam and Sikandar Kumar have been granted bail by Co-ordinate Bench of this Court vide order dated 16.01.2020 passed in Criminal Misc. No. 83567 of 2019. The petitioner is in custody since 11.09.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than



the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Bakhtiyarpur P.S. Case No. 142 of 2019, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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)

Gaurav Kumar/-

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