

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25821 of 2023

Arising Out of PS. Case No.-167 Year-2021 Thana- BALTHAR District- West Champaran

LALIT MOHAN PANDEY SON OF LATE SURYADEV PANDEY R/O
VILLAGE- KATGHARWA, P.S.- SHIKARPUR, DISTRICT- WEST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vatsal Verma, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 29.12.2021 in connection with Balthar P.S. Case No. 167/2021, Session Case No. 576/2022 F.I.R. dated 28.12.2021, for the offences punishable under Sections 489(A), 489(B), 489©, 414 and 34 of the IPC.

According to F.I.R., 117 notes of Rs. 500/- denomination total Rs. 58500/- has been recovered from the pocket of the petitioner.

Learned counsel for the petitioner submits that earlier the bail petition of the petitioner was rejected vide order dated 22.08.2022 in Cr. Misc. No. 14779 of 2022. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case.

Vide order dated 19.04.2023 a report was called for from the learned Trial Court. Report dated 16.06.2023 of the



learned Trial Court reveals that the only four prosecution witnesses have been examined out of nine charge sheeted witnesses.

Learned counsel for the petitioner submits that in view of the report of the learned Trial Court, the trial is not likely to be concluded in near future and the petitioner is in custody since 29.12.2021.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and period of custody, 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 Additional Sessions Judge-VIII, Bettiah, West Champaran in connection with Balthar P.S. Case No.167/2021, Session Case No. 576/2022, 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)

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