

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38174 of 2023**

Arising Out of PS. Case No.-51 Year-2023 Thana- DARBHANGA District- Darbhanga

PANKAJ KUMAR SINGH @ PANKAJ SINGH @ TINKU @ TINKU
SINGH S/O UMESH PRASAD SINGH R/O- Akbarpur PS. Kalyanpur Distt.
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No1, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 01-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 14.03.2023, in connection with Darbhanga Town P.S. Case No. 51 of 2023, F.I.R. dated 13.02.2023 registered for the offences punishable under Sections 419, 420, 379, 384 of the Indian Penal Code.

3. Allegation against the petitioner is of duping the informant of his ATM card and subsequently withdrawing Rs. 1,00,000/- from his account.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has been



identified on the basis of the CCTV footage but not in accordance with law as prescribed under the law. Apart from that the petitioner has number of criminal cases and till date no test identification parade was conducted by the prosecution. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 14.03.2023.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries twelve more cases other than the present one but fairly submits on the basis of paragraph-3 of the petition that out of twelve cases, petitioner is on bail in six cases.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Darbhanga Town P.S. Case No. 51 of 2023, 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 witness, 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 antecedents, 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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