

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44500 of 2022

Arising Out of PS. Case No.-6 Year-2020 Thana- PANDARAK District- Patna

PAWAN RAJ @ PAWAN KUMAR S/o Sri Suresh Singh R/o village-
Malikpur, P.O.- Sonmai, P.S.- Dhanarua, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Kumar,Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 12-01-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Pandarak P.S. Case No. 06 of 2020, registered for the offence punishable under Section 395 of the Indian Penal Code.

The case of the prosecution in brief is that while the informant had loaded Kirloskar motor Oil worth Rs.5,00,000/- on his vehicle and was proceeding from Patna to Purnea, on the way, six unknown miscreants had overtaken him, apprehended him and had kidnapped him, whereafter he was taken away in a Scorpio vehicle while two of the miscreants had taken away the pickup van towards Mokama. It is also



alleged that on the way they had snatched a sum of Rs.5,000/-, some documents etc. from the informant and after tying his hands and legs, had thrown him on the way.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 18.09.2020. The learned counsel for the petitioner has submitted that since the petitioner is an accused in fourteen other cases, he has been made an accused in the present case, however, neither any test identification parade has been held so as to connect the petitioner with the alleged crime nor any recovery has been made from the petitioner. It is also submitted that similarly situated co-accused persons have already been granted the privilege of bail by co-ordinate Benches of this Court and as far as the present case is concerned, the charges have already been framed on 16.11.2022.



Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials on record as also considering the parity of the case of the petitioner with that of the co-accused persons, though I deem it fit and proper to grant bail to the petitioner, but subject to certain conditions to which the learned counsel for the petitioner has got no objection.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Barh in connection with Pandarak P.S. Case No. 06 of 2020.

It is further directed that the petitioner would mark his attendance before the Officer-in-Charge of the concerned police station on each



Monday of the week at 10:30 am. and in the event of two consecutive defaults, the present privilege of regular bail, being granted to the petitioner herein, shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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