

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52021 of 2022

Arising Out of PS. Case No.-6 Year-2022 Thana- CHAUSA District- Madhepura

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Pankaj Kumar Muni @ Pankaj Muni Son Of Sri Wakil Muni R/O Village-
Chirori, P.S.- Chausa, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 15-03-2023 Learned counsel for the petitioner is directed to

remove the defects, if any, as pointed out by the office, within a

period of four weeks from today.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Section 392 of the Indian Penal

Code.

The F.I.R. of the occurrence of loot is against

unknown.

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 petitioner is not named

in the F.I.R. and the name of the petitioner has been transpired



on the basis of confessional statement of co-accused namely Amar Kumar and the self confessional statement of the petitioner. He further submits that nothing has been recovered from the conscious possession of the petitioner or the house of the petitioner 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 on 01.04.2022 and the petitioner is in custody since 30.03.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries seventeen more cases other than the present one but fairly submits that out of seventeen cases, in fourteen cases, the petitioner is on bail, and in one case he has been acquitted by the learned Trial Court and two cases are pending for disposal before this Court.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Chausa P.S. Case No. 06 of 2022, with 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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