

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50469 of 2023

Arising Out of PS. Case No.-85 Year-2023 Thana- CHANDAUTI District- Gaya

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Pankaj Kumar Son Of Late Ram Kishun Ram R/O-Chhotki Delha, P.S.-
Delha, Distt.-gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh

For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-08-2023 Heard the learned counsel for the petitioner and

the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Chandauti P. S. Case No. 85 of 2023, registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. As per allegation, the accused-petitioner is witness in the execution of a sale-deed.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the alleged facts and circumstances constitutes a dispute of civil nature.



5. It is also stated in paragraph no. 2 of the petition that no similar petition has been earlier filed by the petitioner either before this Court or before the Hon'ble Apex Court.

6. It has further been stated that the petitioner has no criminal antecedent.

7. However, the learned APP for the State has opposed the prayer for bail.

8. Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. ACJM 6th Gaya, in connection with Chandauti P. S. Case No. 85 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

9. The application stands allowed accordingly.

10. The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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