

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53475 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- LAHERIYASARAI District- Darbhanga

PANKAJ KUMAR SINGH @ PANKAJ SINGH @ TINKU @ TINKU
SINGH SON OF UMESH KUMAR SINGH @ UMESH PRASAD SINGH
RESIDENT OF VILLAGE- AKBARPUR, PS- KALYANPUR, DISTT-
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Laheriasarai P.S. Case No. 46 of 2023 registered for the offence
under Sections 420, 406, and 379 of the Indian Penal Code.

The petitioner is alleged to have withdrawn Rs.
22,000/- from the account of the informant by misusing his ATM
card.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that on bare perusal of the F.I.R., it
appears that the petitioner has given bluff to the informant and
withdrawn Rs. 22000/- from his account by misusing his ATM
Card. He further submits that the petitioner has been arrested in



connection with Darbhanga Town P.S. Case No. 51 of 2023 and has been remanded in this case from that case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner but the petitioner has been made accused in this case on the ground of his previous antecedents. Not only that the prosecution has not conducted the T.I.P. till date. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 14.03.2023.

Learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries thirteen cases other than the present one but he fairly submits that the petitioner has been allowed bail in five cases out of thirteen.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Chief Judicial Magistrate, Darbhanga in connection with Laherisarai P.S. Case No. 46 of 2023 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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