

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62554 of 2023

Arising Out of PS. Case No.-19 Year-2022 Thana- PIRPAINTI District- Bhagalpur

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PANKAJ PANDEY @ GUDU PANDEY S/o Late Shiv Muni Pandey R/o
Village-Bakharpur, P.S.-Pirpainty, Dist.-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey

For the Opposite Party/s : Mr.Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 392 of the Indian Penal
Code.

3. As per prosecution case, the informant alleged that
while he was returning to his home, meanwhile, four miscreants
came and snatched his motorcycle along with other articles and
fled away.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR and
the same has been lodged against unknown persons. The name
of the petitioner has come into light, on the basis of the



statement made by co-accused Chhotu Yadav, which was recorded u/s 164 of the Cr.P.C. He submitted that the as alleged stolen motorcycle has been recovered from the possession of co-accused Aman Tiwari. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 03.05.2023 passed in Cr. Misc. No. 6817 of 2023. He is languishing in judicial custody since 29.01.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Pirpainti P.S. Case No. 19 of 2022.

(Sunil Kumar Panwar, J)

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