

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74731 of 2023**

Arising Out of PS. Case No.-99 Year-2023 Thana- TARAIYA District- Saran

Pankaj Yadav @ Gunja Bihari, Son Of Shivji Yadav, R/O Village- Nawalpur,  
P.S.- Baraharia, Dist.- Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Gautam Kumar Yadav, Advocate  
For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      29-11-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
Taraiya P.S. Case No.99/2023, lodged on 07.04.2023 under  
Section 395 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been  
lodged against 6-7 unknown accused persons alleging therein  
that they snatched a Scorpio vehicle and other articles from the  
informant.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. The  
petitioner is not named in the FIR, rather his name has surfaced  
in the present case, on the basis of the confessional statement of  
co-accused Bharat Pasi. Moreover, similarly situated co-  
accused, Mritunjay Kumar has been granted regular bail by a



co-ordinate Bench of this Court vide order dated 11.08.2023 passed in Criminal Miscellaneous No. 50059/2023 whereas co-accused, Antu Kumar has been granted regular bail by this Court vide order dated 16.10.2023, passed in Criminal Miscellaneous No. 66327/2023. Neither any recovery of the looted article has been made from the possession of the petitioner nor the petitioner has been put on the Test Identification Parade. He further submits that the petitioner is accused in four more criminal cases and out of four criminal cases, in two cases, he has been granted bail. The petitioner is in custody since 02.05.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the accused who have been granted bail are accused in two more criminal cases whereas the petitioner is accused in four more criminal cases and as per his knowledge, the chargesheet has already been filed, but the charge has not been framed in this case.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be released on bail, **but only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the



satisfaction of learned CJM, Saran at Chapra, in connection with Taraiya P.S. Case No.99/2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

**(Dr. Anshuman, J)**

Ashwini/-

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