

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79992 of 2023

Arising Out of PS. Case No.-89 Year-2022 Thana- DHANAHAN District- West Champaran

RAJAN PANDEY @ SHRIKANT PANDEY @ RAVIKANT PANDEY Son
of Vrij Narayan Pandey R/o village - Tetariya, P.S. - Vijaypur, District -
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 19-12-2023 Heard learned counsel appearing on behalf of the
parties.

2. The petitioner seeks bail in connection with
Dhanaha P.S. Case No. 89 of 2022 registered for the offence
under Sections 395, 120(B) of I.P.C. and Section 27 of the Arms
Act.

3. As per the prosecution case, six miscreants on two
motorcycle came to the jewelry shop of the informant and
looted gold and silver ornaments of Rs. 12 lakh.

4. Learned counsel for the petitioner submits that the
petitioner is not named in the FIR and he has falsely been
implicated in the present case. It has been submitted that name
of the petitioner has been surfaced on the basis of confessional



statement of other co-accused and the allegation against the petitioner is general and omnibus in nature. He further submits that the petitioner is in judicial custody since 17.08.2023. Similarly situated co-accused persons have already been granted regular bail by different Benches of this Court in Cr. Misc. Nos. 38118 of 2023, 39861 of 2023, 41168 of 2023 and 42771 of 2023 vide orders dated 04.07.2023, 18.09.2023, 14.07.2023 and 20.07.2023 respectively.

5. Learned APP appearing for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions made by the petitioner, let the petitioner above named be released on bail *after framing of charge*, in connection with Dhanaha P.S. Case No. 89 of 2022 on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Bagaha, West Champaran, subject to the following conditions :-

(i) 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 this Court below.

(ii) 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.

(iii) However, the Court below is directed to frame the charges within one month from the date of receipt of this order.

(Ramesh Chand Malviya, J)

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