

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73005 of 2024

Arising Out of PS. Case No.-428 Year-2022 Thana- ARARIA District- Araria

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Pankaj Singh @ Pankaj Kumar, aged about 32 years (male), son of Ram Nath Singh, resident of Village- Tetri Pakra, PS- Naugachia, Distt.- Bhagalpur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Araria PS Case No.428 of 2022 dated 27.05.2022, instituted for the offence punishable under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged date of occurrence two unknown miscreants entered into the Bank and overpowered all staff and guard on the gun point. They looted cash of Rs.37,36,750/- and 19 bags of jewellery worth Rs.27,71,588/- and fled away by snatching six cartridges from the guard.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that he has been



remanded in this case on 06.06.2024 from Naugachia PS Case No. 16 of 2023 in which he was arrested on 13.09.2023. It is further submitted that FIR is against unknown and till date no test identification parade has been conducted in this case. Petitioner has been made accused in this case on the basis of confessional statement of Md. Shahnawaz Alam @ Sonu, who has been granted bail by this Court vide order dated 18.05.2023 passed in Cr. Misc. No.21122 of 2023. It is further submitted that co-accused Md. Qaisar Alam @ Md. Kaesar Alam has been granted bail by this Court vide order dated 23.05.2024 passed in Cr. Misc. No.35028 of 2024 and co-accused Raja Sahni @ Munna Mikel @ Dhori has been granted bail by a co-ordinate Bench of this Court vide order dated 30.01.2024 passed in Cr. Misc. No.2200 of 2024. Petitioner is in custody since 06.06.2024. Petitioners has criminal antecedents of similar nature.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the CJM, Araria, in Araria PS Case



No.428 of 2022, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) that 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 (v) that the petitioner will appear in the concerned PS every fortnightly and file his attendance for the next six months.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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