

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.547 of 2024

Arising Out of PS. Case No.-289 Year-2021 Thana- EKANGARSARAI District- Nalanda

Pankaj Malakar S/O Satyendra Malakar R/O Village- Maksudpur, P.S-
Khizarsarai, Distt- Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioner and

learned APP for the state.

The instance application for regular bail has been

filed by the petitioner in connection with Ekangarsarai P.S.

Case No. 289 of 2021 instituted for the offence u/s 379,

420 of the Indian Penal Code.

The allegation against the petitioner is of

exchanging the ATM card of informant and allegedly

withdrawing Rs. 7,41,463.95 from his account and has been

identified in CCTV footage.

Earlier the application for regular bail of the

petitioner was rejected by order dated 15.07.2022 passed in



Cr. Misc. No. 20245 of 2022 and withdrawn by order dated 23.06.2023 passed in Cr. Misc. No. 16500 of 2023 with a direction to learned Trial Court to conclude the trial within stipulated period as mentioned in its report dated 15.05.2023 ie. two months.

It is submitted by learned counsel for the petitioner that the trial has not been concluded till date and the petitioner is languishing in judicial custody since 01.12.2021

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ekangarsarai P.S. Case No. 289 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Hilsa, Nalanda, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or threatens the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. If the petitioner repeat the offences of similar nature, as alleged in the present case, the prosecution will be at liberty to move for cancellation of bail.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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